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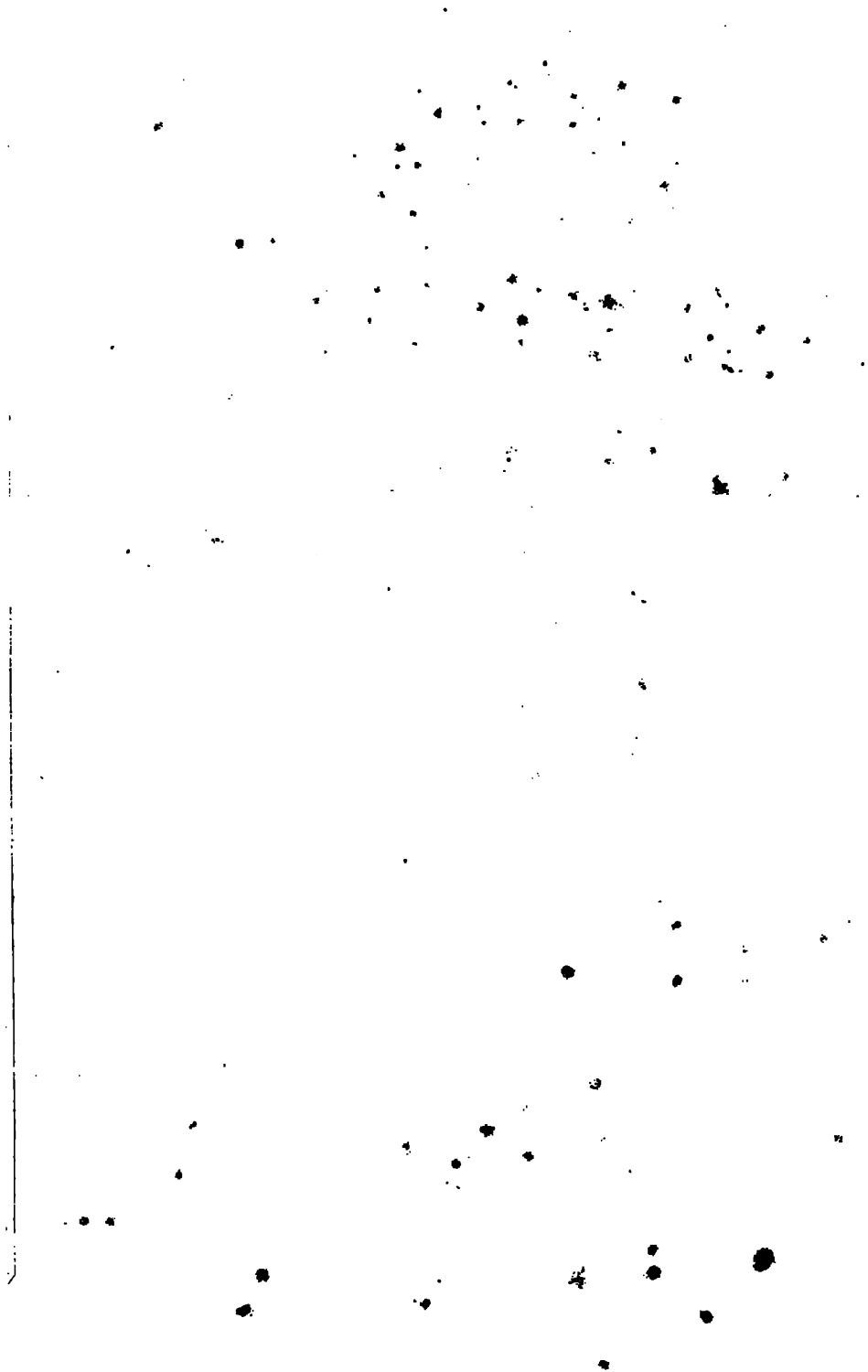
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Charter
OF
Incorporation;
BYE LAWS; REGULATIONS;
Grant of Arms;

AND THE

Statutes

RELATING TO ATTORNEYS AND SOLICITORS.

6 & 7 VICT. c. 73., AND 7 & 8 VICT. c. 86.

LONDON:
PRINTED FOR THE USE OF THE MEMBERS OF
THE SOCIETY.

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CHARTER.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting. WHEREAS our royal predecessor King William the Fourth, late King of England, by his Letters Patent under the Great Seal of Great Britain and Ireland, bearing date at Westminster the twenty-second day of December, in the second year of his reign did grant, constitute, declare, and appoint that Thomas Adlington, Jonathan Brundrett, George Frere, and William Tooke, and all such other persons being Attorneys, Solicitors, or Proctors practising within the United Kingdom of Great Britain and Ireland, or Writers to the Signet, or Writers in the Courts of Justice in that part of the United Kingdom called Scotland, or being persons who had practised as Attorneys, Solicitors, or Proctors within the United Kingdom, or as Writers to the Signet, or Writers in the Courts of Justice in Scotland, and should have voluntarily retired from such practice, as then were or should thereafter become qualified as therein-after mentioned, should be and be called one body politic and corporate in deed and in law, by the name and style of "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom;" And them by the name of "The Society of Attorneys, Solicitors, Proctors, and others, not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," did make, erect, ordain, and constitute, establish, confirm, and declare to be one body politic and corporate, in deed and in law for ever; and did grant to the Society thereby incorporated, divers powers, liberties, and privileges in the same Letters Patent mentioned. AND

Recital of former
charter.

WHEREAS it hath been represented to us that it is expedient that the constitution of the Society should be so modified, as that the Members thereof should not possess any individual right of property in its capital or possessions, rents or income, but that the whole capital and possessions and the rents and income thereof, should be applicable to the general purposes of the Society in promoting professional improvement, and facilitating the acquisition of legal knowledge : AND WHEREAS by a deed or writing under the Common Seal of "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," bearing date the 22d day of February, in the Eighth Year of our Reign, and enrolled of Record in our High Court of Chancery on the 24th day of February, in the said Eighth Year of our Reign, the Society have surrendered into our hands the Charter of Incorporation, so granted to them by our Royal predecessor King William the Fourth, on the 22d day of December, in the Second Year of his Reign : AND WHEREAS our trusty and well beloved Edward Foss, and Michael Clayton, two of the Members of the Society, have by their petition humbly besought us to grant to them and to the several other persons who were Members of the Society at the time when their Charter of Incorporation was surrendered into our hands, and to such other persons as shall be appointed and elected Members of the Society as hereinafter mentioned, our Royal Charter of Incorporation for the better carrying into effect the professional purposes for which the Society was originally constituted :

The Society incorporated.

I. NOW THEREFORE KNOW YE, that we being graciously pleased to grant to the said petitioners their said request, of our especial grace, certain knowledge, and mere motion, have willed, granted, constituted, declared, and appointed, and by these presents, for us, our heirs and successors, do will, grant, constitute, declare, and appoint, that they the said Edward Foss and Michael Clayton, and the several other persons who were members of the Society at the time when their Charter of Incorporation was surrendered into our hands, and all such other persons being Attorneys, Solicitors, or Proctors, practising within our United Kingdom of Great Britain and Ireland, or Writers to the Signet, or Writers in

our Courts of Justice in that part of our United Kingdom called Scotland, or being persons who shall have practised as Attorneys, Solicitors, or Proctors, within our United Kingdom, or as Writers to the Signet, or Writers in our Courts of Justice in Scotland, and shall have voluntarily retired from such practice (not being Barristers) as shall from time to time be elected Members of the Society in the manner herein-after directed, and their respective successors, shall for ever hereafter be, and be called, one body politic and corporate, in deed and in law by the name and style of "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," and them by the name and style of "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," We do, for us, our heirs and successors, make, erect, ordain and constitute, establish, confirm, and declare, to be one body politic and corporate, in deed and in law for ever. And we do, for us, our heirs and successors, grant and declare, that by the name of "The Society of Attorneys, Solicitors, Proctors and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," they and their successors shall and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in whatsoever courts and places, and before any Judges, Justices, or Officers of us, our heirs and successors, in all and singular actions, pleas, suits, complaints, matters, and demands, of what kind or quality soever they shall be, in the same manner and form, and as fully and amply, as any of our subjects of this our United Kingdom of Great Britain and Ireland may or can do.

Name of the Corporation.

Society may sue and be sued.

II. And that they, "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," shall and may have and use a Common Seal for the affairs and business of the Society; and that it shall and may be lawful for the Society, and their successors, the same Common Seal from time to time at their will and pleasure to break, change, alter, or make new, as to them shall seem expedient.

May use a Common Seal.

To have perpetual
succession.

May purchase
land, &c. to a
limited extent ;

III. And we do, for us, our heirs and successors, grant and declare, that by the same name of "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," they shall have perpetual succession, and at all times hereafter shall be able and capable in law, notwithstanding the statutes of mortmain, to purchase, acquire, have, take, hold, receive, and enjoy, to them and their successors, in perpetuity, or for any terms of lives or years, or other estate, any messuages, lands, tenements, rents, possessions, and hereditaments, of what nature or kind soever, the yearly value of which shall not exceed in the whole, at any one time, the sum of five thousand pounds, computing the same respectively at the rack rent which might have been had or gotten for the same respectively, at the time of the purchase or acquisition thereof; and also all manner of goods, chattels and things whatsoever of what nature or value soever, which they may think requisite for the purposes of the said Society.

and sell the same.

IV. And also, from time to time to sell, grant, demise, exchange, and dispose of or mortgage any of the same messuages, lands, tenements, rents, possessions, and hereditaments, wherein they shall have any estate or interest, or which they shall so acquire as aforesaid: but that no sale, mortgage, incumbrance, or other disposition of any messuages, lands, tenements, or hereditaments belonging to the Society shall be made except with the approbation and concurrence of a General Meeting.

Bodies Politic and
Corporate em-
powered to give
land to the So-
ciety.

V. And we do hereby, for us, our heirs and successors, give and grant special licence, power, faculty, and authority, to any person or persons, bodies politic and corporate, their heirs and successors, respectively, to give, grant, sell, alien, assign, dispose or devise in mortmain, in perpetuity or otherwise, to or to the use and benefit of, or in trust for, "The Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," and their successors, any messuages, lands, tenements, rents, and hereditaments, not exceeding (with the lands so purchased or previously acquired, and then held by the said Society) such yearly value as aforesaid. And also any sum or sums of money, goods, chattels, stocks in the public funds, securities for money, and other personal

estate, to be laid out and disposed of in the purchase of any lands, tenements, or hereditaments, not exceeding the like yearly value, for the purposes of the Society.

VI. And we do further will and declare that, in case any Member of the Society shall, in consequence of the order of any Court of competent Judicature, be rendered incapable by reason of malpractice, or other professional misconduct, of practising in our Courts of Justice or any of them, such person shall forthwith cease to be a member of the Society.

Members rendered incapable of practising by order of Court for malpractice, to cease to be Members.

VII. And we do hereby grant and declare, that the number of Members of the Society shall be indefinite, and that the other persons who were Members of the Society at the time when their Charter of Incorporation was surrendered into our hands, shall be the first Members of the Society.

The number of Members of the Society to be indefinite.

VIII. And we do further grant and declare that, for the better rule and government of the Society, and for the better direction and management of the concerns thereof, there shall be a Council of the Society, to be elected from among such of the Members of the said Society as shall be Attorneys, Solicitors, or Proctors practising in England, and a President and a Vice-President of the Society to be elected from the Council, and that such Council, including the President and Vice-President, shall consist of not more than thirty, nor less than twenty Members.

Society to be governed by a President, Vice-President and Council, to consist of not more than thirty nor less than twenty Members.

IX. And we do further declare and appoint that the said Michael Clayton shall be the first President of the Society, and Edward Rowland Pickering shall be the first Vice-President of the Society, and that the said Michael Clayton and Edward Rowland Pickering, together with Samuel Amory, Benjamin Austen, Robert Riddell Bayley, Thomas Clarke, William Loxham Farrer, John Irving Glennie, John Swarbreck Gregory, Richard Harrison, Bryan Holme, Edward Lawford, William Lowe, Robert Wheatley Lumley, Thomas Metcalfe, John Innes Pocock, Charles Ranken, Charles Shadwell, John Teesdale, William Tooke, Richard White, Robert Whitmore, Edward Archer Wilde, and Thomas Wing, shall be Members of the first Council until the first General Meeting of the Society for the Election of the President, Vice-President, and the Council, shall be held in pursuance of these presents.

Names of the President, Vice-President, and Council.

X. And we further will and declare, that the Council of

Council to elect Members.

the Society shall have power from time to time at their Meetings, to be held at the times and places to be directed by the Bye-laws of the Society, to appoint and elect in the manner to be directed by such Bye-laws, such persons as they shall think fit, being Attorneys, Solicitors, or Proctors practising within our United Kingdom of Great Britain and Ireland, or Writers to the Signet, or Writers in our Courts of Justice in that part of our United Kingdom called Scotland, or being persons who shall have practised as Attorneys, Solicitors, or Proctors, within our United Kingdom, or as Writers to the Signet, or as Writers in our Courts of Justice in Scotland, and shall have voluntarily retired from such practice (not being Barristers) to be Members of the Society.

Powers of the
Council.

XI. And we further will, that subject and without prejudice to the powers hereinafter vested in the General Meetings of the Society, the Council shall have the sole and entire management of the Society and of the income and property thereof, for the uses, purposes, and benefit of the Society, and shall have the sole and exclusive right of nominating and appointing a Secretary, Librarian, and such other Officers, Clerks, Attendants, and Servants as they may deem necessary or useful to the Society, and of removing them if they shall think fit, and shall prescribe their respective duties: And that it shall and may be lawful for the Council, or any five or more of them, to assemble and meet together when and as often as they shall think fit until the passing of the Bye-laws of the Society, and from and after the passing of such Bye-laws at such times and places as shall be directed by the said Bye-laws, and from time to time to do all such acts as shall appear to them, or the majority of the Council then present, necessary or fitting to be done, in order to carry into full operation and effect the object and purposes of the Society, so always that the same be not inconsistent with, or repugnant to, the provisions of this our Charter, or any existing Bye-law, Ordinance, or Regulation made, ordered, or agreed upon, at any General Meeting of the Members of the Society, or the Laws and Statutes of this our Realm.

General Meetings
may make bye-
laws,

XII. And we do hereby further grant and declare, that at any General Meeting it shall and may be lawful for the Members of the Society, or such of them as shall be then present,

to ordain and make such and so many bye-laws, rules, orders, and ordinances, as to them, or the major part of them, shall seem necessary, convenient, and proper for the regulation and good government of the Society, and of the Members and affairs thereof, and for fixing and determining the number of Members of which the Council shall consist, and the manner of electing the President and Vice-President and other Members of the Council, and also the period of their continuance in office, and the manner and time in which any vacancy in the office of President or Vice-President, or any vacancies in the Council by death, resignation, disqualification, or otherwise, shall be supplied, and for regulating the times and places at which meetings of the Council shall be held, and the manner of appointing or admitting persons to be Members of the Society, and of removing or expelling Members from the Society, and fixing the conditions upon and the manner in which persons, being eligible to become Members of the Society, but not resident in England, may be admitted as subscribers to the Hall and Library and other rooms of the Society, or any of them or any part thereof, and the conditions upon and the manner in which Clerks serving under Articles, or who have served their Articles to Members of the Society may be admitted to the said Library, and for convening the ordinary or any special Meetings of the Members, and generally for carrying the objects for which the Society is founded into full and complete effect, with reasonable penalties, fines, and amerciaments, to be contained in such bye-laws, on the offenders, for non-performance of, or for disobedience to the same : And the said bye-laws, rules, orders, and ordinances, penalties, fines, and amerciaments, or any of them from time to time to alter, change, or annul, as the said General Meeting shall think requisite, and to mitigate the same as they shall find cause, so as all and singular such bye-laws, rules, orders, and ordinances, penalties, fines, and amerciaments, be reasonable, and not repugnant or contrary to the laws or statutes of this our realm.

with reasonable penalties ;

and alter bye-laws.

XIII. And our will and pleasure is, that a General Meeting of the Members of the Society shall be held within the space of six calendar months after the date of these presents for the making and ordaining bye-laws, rules, orders, and ordi-

General Meeting to be held within six calendar months, and an annual Meeting in the month of May.

And other
General Meetings,
as required and
directed.

At General Meet-
ings the President,
or the Vice-Pres-
ident, or one of
the Council, or
one of the
Members, to be
chosen Chairman.

Charter to be
liberally con-
strued.

nances for the government of the Society; and that an annual meeting shall thereafter be held in the month of *May* in every year, or as soon thereafter as conveniently may be, for the election of the President, Vice-President, and the Council, and for other purposes of the Society; and that other General Meetings may be held from time to time as occasion shall require, and as the bye-laws shall direct.

XIV. And we will that at all General Meetings, the President of the Society, if he shall be present, and if not, then the Vice-President, and in the absence of the President and Vice-President, then some one of the Members of the Council, to be chosen by the Council; and in the absence of the President, Vice-President, and all the Members of the Council, then some Member of the Society, to be chosen at the meeting, shall preside as chairman.

XV. And lastly, we do by these presents for us, our heirs and successors, grant unto the said Corporation hereby established, and their successors, that these our letters patent, or the enrolment or exemplification thereof, shall be in and by all things good, firm, valid, sufficient and effectual in the law, according to the true intent and meaning thereof, and shall be taken, construed, and judged in the most favourable and beneficial sense, for the best advantage of the said Corporation and their successors, as well in all our Courts of Record as elsewhere, by all and singular Judges, Justices, Officers, Ministers, and other subjects whatsoever of us, our heirs, and successors, any non-recital, misrecital or any other omission, imperfection, defect, matter, cause, or thing whatsoever, to the contrary thereof in anywise notwithstanding. IN WITNESS whereof WE have caused these our LETTERS to be made PATENT.

WITNESS ourself at our Palace at Westminster this *Twenty-sixth* day of *February*, in the *Eighth* Year of our Reign.

BY WRIT OF PRIVY SEAL.

EDMUNDS.

BYE-LAWS,

MADE AND ORDAINED AT A GENERAL MEETING OF
THE MEMBERS,

On the 9th day of May, 1845.

GENERAL MEETINGS.

1. ALL general meetings shall be held in the Hall of the Society, or such other place as the Council shall appoint, and the chair shall be taken at the hour appointed for that purpose, provided the requisite number of members be then present.

Place and time of
general meetings.

2. A special general meeting of the members of the Society may at any time be called by the Council.

Council may call
general meetings.

3. Twenty or more members of the Society may at any time, by writing under their hands, require the Council to call a special general meeting for any purpose relating to the Society.

Twenty members
may require gene-
ral meeting.

4. Every requisition to the Council for calling a special general meeting, shall be delivered at the office of the Secretary, and shall express the object for which such meeting is required to be called. And it shall thereupon be incumbent on the Council within fourteen days from the delivery of such requisition, to call a meeting in pursuance thereof to be holden at some period not later than twenty-eight days from the delivery of such requisition.

Object of meeting
to be stated.

Council to call
Meeting.

5. If the Council shall not, within fourteen days after such requisition shall have been delivered at the office of the Secretary, proceed to call a special general meeting of the members of the Society, for the purpose mentioned in the requisition, any ten of the members who signed the requisition may at any time after the expiration of such fourteen days, call such general meeting by delivering at the office of the Secretary a notice for that purpose, specifying the object for which the meeting is to be called, and a day and time for

Ten of the requi-
sitionists may
call meeting, if
Council refuse.

holding such meeting, not being sooner than ten days from the time of delivering such notice.

Notice of meeting fixed up in hall, and sent to each member.

6. Notice of every annual meeting, and of every special general meeting, whether called by the Council, or by a requisition of the members, shall be fixed up in the Hall of the Society, and also sent to each member, by the Secretary, ten days at least before the day for holding the same; and in case of a special general meeting, the object of it shall be stated in the notice, and it shall also be stated by whom or on whose requisition such meeting is called.

Twenty members a quorum.

7. If, on the day appointed for holding the annual general meeting, there shall not be twenty members present at the time appointed for the chair to be taken, or within half an hour afterwards, no business shall be transacted, but the meeting shall stand adjourned to the same day and hour in the following week; and if a sufficient number of members shall not then attend, the meeting shall stand adjourned to the same day and hour in the following week, and so from time to time, as often as the same shall happen, until at any such meeting there shall be a sufficient number of members present, when the meeting shall proceed to business, and not before.

Adjournment.

8. Every annual and every special general meeting shall have power to adjourn to a future day.

Notice of adjournment.

9. Whenever an annual general meeting shall, in consequence of the non-attendance of a sufficient number of members, or by the resolution of the members present, be adjourned to a future day, notice thereof shall be fixed up in the Hall of the Society.

Annual accounts.

10. On or before the 15th of April previous to every annual meeting, two copies of the account of the receipts and disbursements of the Society during the preceding year, signed by the Auditors, or two of them, shall be left in the Secretary's office, for the inspection of the members, and such account shall be submitted to the meeting by the Council; and such account, after it shall have been read at the meeting, and approved of, shall be signed by the President, Vice-President, or Chairman of the meeting, in testimony of such approval; and having been so signed, shall be binding and conclusive on all the members of the Society, and shall not on any pretence whatever be afterwards opened, unless some manifest error, to the amount of fifty pounds or upwards, shall be

discovered therein by any one of the members, and be specified in writing to the Secretary, within six calendar months after such approval; in which case the account shall be opened so far only as may be necessary to rectify the error.

11. At every annual meeting, an election of the President and Vice-President, and ten members of the Council, and of three Auditors, in the room of those who go out of office, shall take place. The President and Vice-President and the members of the Council and Auditors going out of office, on the day of the annual meeting, shall be considered as in office, not only until the meeting shall break up or adjourn, but until others shall be respectively elected in their place.

President, Vice-President, and Ten of the Council, and three Auditors, annually elected.

12. No other business shall be transacted at a special general meeting, than the business for which it shall have been expressly called; and no other business shall be transacted at any adjourned meeting than the business left unfinished at the meeting from which such adjournment took place.

Business of special meeting.

13. At the annual general meetings, the order of business shall be as follows:—

Mode of conducting annual general meetings.

1. The Chair shall be taken as directed by the 14th section of the Charter.
2. The minutes of the preceding annual meeting, and of all intermediate special general meetings, shall be read.
3. The President, Vice-President, or Chairman shall then state the vacancies in the Offices of President, Vice-President, and in the Council and Auditors, and the names of the persons who have been proposed to fill those vacancies; and if no other persons shall have been named, the persons so proposed shall be deemed and declared to be elected.
4. The election shall be determined by a show of hands, unless a ballot shall be demanded by any ten members present; in which case the same shall take place immediately, and the President, Vice-President, or Chairman shall appoint two or more scrutineers, from among the members present, to superintend the ballot during its progress, and to report the result to the meeting.
5. If there shall be any additional vacancy or vacancies to be filled up, and a ballot shall be demanded in

respect of any one or more of such vacancies, a ballot, separate and distinct from that for the annual vacancies, shall take place for each additional vacancy, unless two or more of such vacancies shall be for the same period of service; in which case one ballot only shall take place for each set of vacancies of the same period of service, all of which ballots may be carried on either simultaneously or successively, as the President, Vice-President, or Chairman shall direct; and if two or more ballots shall be carried on at the same time, different scrutineers shall be appointed for each ballot; and in that case no person or persons shall be proposed for more than one vacancy or set of vacancies.

6. No ballot shall be kept open for more than two hours.
7. Immediately after the elections have taken place, or the ballot shall have commenced, the report of the receipts and disbursements of the Society, as signed by the Auditors, shall be read, and submitted to the meeting for approval.
8. Any business which the Council shall think proper to introduce shall then be entered upon and discussed, and the opinion of the meeting shall, if necessary, be taken thereon.
9. After all business introduced by the Council shall have been disposed of, it shall be competent for any member of the Society to make any proposition which may legally be entertained at such meeting, and to give any notice he may think fit of a proposition to be considered at a future meeting.
10. In case any debate shall arise upon any subject, no member shall be permitted to speak more than once upon the same question, except for the purpose of explanation, in which he shall not be allowed to introduce any new matter, but the mover of any resolution shall be allowed to speak a second time in reply, after which the debate shall be closed.
11. In case the meeting shall be adjourned, the business to be transacted at the adjourned meeting shall

be specified previously to the adjournment taking place, and shall be entered on the minutes, and no business shall be transacted at the adjourned meeting, which shall not have been so specified and entered.

12. In all cases of dispute, or doubt, or difficulty, an appeal shall be made to the President, Vice-President, or Chairman, and his decision thereon shall be final and conclusive.

14. At the special general meetings, the order of the proceedings shall be as follows:—

Mode of conducting special meetings.

1. The Chair shall be taken as directed by the 14th section of the Charter.
2. The object for which the meeting has been called shall then be stated by the President, Vice-President, or Chairman.
3. The business to be transacted shall be taken in the order stated in the notice calling the meeting.
4. All elections, ballots, and debates shall be conducted in the same manner, and the powers of the President, Vice-President, or Chairman shall be the same as at the annual general meetings.

15. At all adjourned meetings, the business to be transacted shall be taken in the order in which it shall have been entered on the minutes of the meeting from which the adjournment took place, and all debates shall be conducted in the same manner, and the powers of the President, Vice-President, or Chairman shall be the same as at the annual general meetings.

Mode of conducting adjourned meetings.

16. No motion by any member for the repeal or alteration of any existing bye-law, or for the enactment of any new bye-law, shall be entertained at any general meeting, unless the same shall have been previously approved by the Council, or unless notice in writing of such motion shall have been given at some previous general meeting by the member intending to move the same, or unless notice in writing, containing the substance of the intended alteration, shall have been given to the Council, by the member intending to move the same, twenty-one days at least before the day on which such general meeting shall be held.

Notice of motion to repeal bye-laws, &c.

17. If the repeal or alteration of any existing bye-laws, or the enactment of any new bye-law, shall be proposed by

If not proposed by Council, confirmation necessary.

the Council, such repeal, or alteration, or such new bye-law, if carried at the meeting at which it shall have been proposed, shall be binding without confirmation ; but if proposed by any member of the Society, the same shall not be binding, unless it shall be confirmed at a subsequent general meeting, to be held for the purpose, at a distance of not less than three weeks from the preceding general meeting, which meeting shall appoint the time for holding the second meeting.

Notice in Hall,
and by circular.

18. Notice of any motion for the repeal, or alteration of any existing bye-law, or the enactment of any new bye-law, whether originating with the Council, or otherwise, shall be fixed up in the Hall of the Society, fourteen days at least before the meeting at which such motion is intended to be made ; and notice thereof shall also be sent to each member of the Society, in the letter announcing the meeting. And if it shall be necessary to confirm such repeal or alteration, or such new bye-law, notice thereof shall, in like manner, be fixed up in the Hall of the Society, and sent to each member.

Minutes of pro-
ceedings.

19. Minutes of the proceedings at every general meeting shall be entered in a book to be provided for that purpose, and signed by the person in the chair.

As to irregulari-
ties in meetings.

20. In case any irregularity shall occur in the convening or holding of any general meeting, or in any election or other proceedings at any such meeting, and the same shall not be publicly noticed and objected to at such meeting, all proceedings of such meeting shall be of the same force and validity as if no such irregularity had occurred ; but if any irregularity shall be publicly noticed and objected to, the meeting shall decide thereon, and such decision shall be final and conclusive.

THE PRESIDENT, VICE-PRESIDENT, AND COUNCIL.

Qualification of
President and
Vice-President.
See sects. 8, 12, and
13. of the Charter.

21. The President and Vice-President of the Society to be elected annually, according to the Charter, shall be chosen from among such of the Council as shall have been members of the Committee of Management of the Society before the surrender of its late Charter, or members of the Council under the present Charter, for at least three years previously to such election.

22. The Council shall consist of thirty members, but shall be competent to act until reduced by any means below the number of twenty.

Number of Council.

23. The members of the Council, who shall be elected at the annual meeting in 1845, shall continue in office until the day on which the annual meeting in the year 1846 shall be held, when ten members, to be determined amongst themselves, shall go out of office; and on the day on which the annual meeting in the year 1847 shall be held, ten more members, to be determined amongst themselves (not being members who shall have gone out of office and been re-elected, or members who may have been elected in their place), shall go out of office; and on the day on which the annual meeting in the year 1848 shall be held, the remaining ten members of the Council shall go out of office; and on the day on which the annual meeting shall be held in each and every successive year, the ten members who shall have been longest in office, or the members who shall have been elected in their place, shall go out of office.

Rotation of going out. See sect. 11.

24. Every vacancy in the Council, occasioned by going out of office by rotation, or by death, resignation, disqualification, or removal, shall be filled up by the election of a new member, either at the next annual general meeting, or at a special general meeting, to be called for that purpose in the manner before directed; and notification of every such vacancy shall be put up in the Hall thirty days before such meeting.

Supplying vacancies.

25. No member of the Society shall be capable of being a member of the Council unless he shall be at the time of such election a practitioner of at least ten years' standing.

Qualification of Council.

26. The President, Vice-President, and members of the Council going out of office on the day of the annual meeting, shall be immediately re-eligible.

Re-eligibility.

27. Every person who may be elected a member of the Council, to fill a vacancy occasioned by death, resignation, disqualification, or removal, or by any other cause than that of going out of office on the day of the annual meeting, shall continue in office so long only as the person in whose place or stead he may be elected would have been entitled to continue in office, if such death, resignation, disqualification or removal had not happened.

Continuance in office.

28. Any member of the Council who shall be desirous of vacating his office, may send in his resignation, in writing,

Resignation.

to the Council, and upon the acceptance of such resignation by the Council, and the entry of the same on their minutes, his office shall become vacant, and not before.

Transmission of names of persons proposed, and list to be fixed up in Hall.

29. The name of every person intended to be proposed by any member as President or Vice-President of the Society, or as a member of the Council, shall be transmitted in writing to the Secretary, seven days at least before the day of election, and a list of the persons so proposed, together with the name of the member proposing each such person, shall be fixed up in the Hall six days before the meeting; and no person shall be capable of being elected President or Vice-President of the Society, or a member of the Council, whose name shall not have been so transmitted.

Admitting members.

30. The Council may make such regulations as they shall think fit, not inconsistent with the Charter or bye-laws, for prescribing the form and manner of approving and admitting members of the Society.

Council meetings.

31. The Council may make such regulations, not inconsistent with the charter or bye-laws, as may appear to them expedient for conducting the proceedings of their own meetings.

Regulating Hall, Library, &c., and admitting clerks. See Charter, sect. 12.

32. The Council may from time to time make such regulations, and issue such orders, not inconsistent with the Charter or bye-laws, as they shall think fit, for regulating the times of opening and closing the Hall and Library, and other parts of the building, and for maintaining order and decorum therein, and for admitting to the Library clerks serving under articles or who have served their articles to members of the Society.

Annual subscription. See sect. 53.

33. The Council shall fix the amount of the annual subscription payable by the members of the Society, as hereinafter directed, and shall appoint the time for paying the same.

Subscription of country members

34. In fixing the amount of the annual subscription payable by the members of the Society, the Council shall be at liberty, if they shall think it expedient so to do, to make a distinction in favour of such members as do not take out town certificates.

Admission of subscribers. See Charter, sect. 12.

35. The Council may, from time to time, admit such persons as they shall think proper (not being members of the Society, but being eligible to become members, and not resident in England), as subscribers to the Hall and Library and

other rooms of the Society; and shall fix the amount of the subscription to be payable by such subscribers, and the time and manner of paying the same; and shall regulate the terms and conditions upon which such subscribers shall be admitted, and the privileges to which they shall be entitled.

36. The Council may appropriate such parts of the building as they shall think fit as Club Rooms, to be used by such of the members and subscribers as may be willing to subscribe thereto; and the Council shall fix the amount of the subscription to be paid by the persons using such rooms, and shall, from time to time, make such regulations as they shall think expedient respecting the same.

Club room and subscription.

37. The Council may suspend any member from the use of the Hall or Library, or Registry, or any of the rooms belonging to the Society, during such period as they may think fit, not extending beyond the next general meeting, for any cause which shall, in their opinion, render such suspension necessary or expedient, provided sixteen members of the Council at least are present at the meeting at which such suspension shall be resolved upon, and thirteen at least of such members present consent thereto.

Suspension of members of Society.

38. The Council may, if they shall see occasion so to do, suspend any of their body from acting as a member of the Council, provided sixteen members of such Council at least are present at the meeting at which such suspension shall be resolved upon, and thirteen at least of such members present consent thereto.

Suspension of members of Council.

39. Whenever the Council shall, in the manner hereinbefore directed, have suspended any of their body from acting as a member of the Council, they shall immediately convene a special general meeting of the members of the Society, to be held within twenty-one days next thereafter; which meeting shall have full power to remove from office the member so suspended, if they shall think it expedient so to do, or otherwise to act under the circumstances as they shall think fit.

General meeting on suspension of members of Council.

40. The Council may permit the Secretary and other officers and servants, to reside in the buildings belonging to the Society, and may appropriate such of the apartments as they shall think fit for their use.

Residence of officers.

41. The Council may let the fire-proof muniment rooms,

Fire-proof rooms, &c.

Club Room, and such other rooms and chambers as they may deem expedient, to any persons, as well members and subscribers as others, who may be willing to take the same, upon such terms and for such purposes as the Council shall think proper.

Salarics.

42. The Council shall pay to the Secretary and Librarian, and all other officers, clerks, attendants, and servants of the Society, such salaries and wages, or make them such recompense as they shall from time to time think proper.

Common Seal.

43. The Council shall have the custody of the Common Seal of the Society, and shall not, unless by the order or under the authority of a general meeting of the Society, suffer the same to be affixed to any instrument until such instrument shall have been read and approved at two successive meetings of the Council; and a copy of every instrument to which the common seal has been affixed shall be entered in a book to be kept for that purpose.

Minutes of proceedings.

44. Minutes of the proceedings of every meeting of the Council shall be taken by the Secretary, or, in case of his absence, by some other person whom the President, Vice-President, or Chairman shall appoint for the occasion, which minutes shall afterwards be copied fairly into a minute book, to be kept for that purpose, and signed by the President, Vice-President, or Chairman of that or the next succeeding meeting.

THE AUDITORS.

Annually go out of office. Sec. 11.

45. All the Auditors shall go out of office on the day on which the annual meeting shall be held.

Vacancy filled by general meeting.

46. If any vacancy shall occur in the office of Auditor by death or resignation, or by any other cause than that of going out of office on the day of the annual meeting, such vacancy shall be filled up, by the election of a new Auditor, at a special general meeting to be called for that purpose, by the Council, within the space of three calendar months next after such vacancy shall occur, unless the annual meeting shall be held within that period; and in such case the vacancy shall be filled up by the Council.

Qualification.

47. No member of the Society shall be capable of being elected an Auditor, unless he shall be at the time of such election a practitioner of at least ten years' standing.

48. The name of every person intended to be proposed by any member as an Auditor shall be transmitted in writing to the Secretary, seven days at least before the day of election, and a list of the persons so proposed, together with the name of the member proposing each such person, shall be fixed up in the Hall six days before the meeting; and no person shall be capable of being elected an Auditor whose name shall not have been so transmitted.

Notice of persons proposed, and list fixed up in Hall.

49. Every Auditor going out of office on the day of the annual meeting shall be immediately re-eligible.

Re-eligible.

50. An Auditor may at any time vacate his office by sending in his resignation in writing to the Council.

Resignation.

51. The account of the receipts and disbursements of the Society, which, in pursuance of the tenth bye-law, is to be submitted by the Council to every annual meeting, shall be examined and audited by the Auditors, or two of them, previously to the holding of such annual meeting; and, in order thereto, the Auditors, or two of them, shall, with the assistance of the Secretary and clerks of the Society, examine such account, with the books, and papers, from which the same shall or ought to have been drawn, and with all other books, papers, and vouchers, belonging to the Society, which they shall think necessary for that purpose; and, after a careful examination of such account, with such books, papers, and vouchers, and correcting the same, if necessary, the Auditors, or two of them, shall sign their names at the foot thereof, in testimony of their approbation of the same. And such account shall include not only the receipts and disbursements of the preceding year, but also the existing funds and property of the Society, and the debts and credits thereof.

Duties of Auditors.

MEMBERS.

52. Every person elected shall, upon his admission as a member, pay the sum of Fifteen Pounds.

Admission fee of members.

53. Every member shall pay an annual subscription, to be fixed by the Council, which shall be payable in advance, and shall entitle the members to the use of the Hall, Library, and Registry.

Annual subscription of members. See sects. 33. and 34.

54. No person elected shall be deemed a member of the Society, or exercise any of the rights or privileges of a

Rights suspended till payment.

member of the Society, until he shall have been duly admitted, and shall have paid the amount of his admission fee and his first annual subscription.

Exclusion for non-payment.

55. If any member shall permit his annual subscription to be in arrear, and shall not pay the same within three calendar months after the same shall become due, his name shall, at such time as the Council shall direct, be put up in the Hall of the Society as a defaulter; and if his subscription shall not be paid within the space of three calendar months after his name shall have been so put up, or within such further time as the Council may grant, upon special cause to them shown, such defaulter shall be liable, by the order and resolution of a general meeting, to be excluded from the Society, and shall cease to be a member thereof. Provided always, that the Council may at any time direct an action to be commenced and prosecuted, in the name of the Society, against such defaulter, for the recovery of any arrears of such subscription, which action shall be carried on under the direction of the Council, and the money to be recovered therein shall form part of the funds of the Society.

Members retiring.

56. A member may at any time, after he has paid his subscription for the current year, retire from the Society, by sending in his resignation in writing to the Council.

Roll book of names and residence of members.

57. The name and residence of every member shall be entered in a book to be kept by the Secretary for that purpose, to be called the Roll Book of Members.

Change of residence.

58. Any member who shall at any time change his residence, shall immediately give notice thereof in writing to the Secretary.

Roll book of members to be evidence.

59. The Roll Book of Members shall, for all the purposes of the Society, be considered as containing a correct list of the members and of their respective residences, and it shall be incumbent on each member to ascertain that his name and residence are correctly entered therein.

Letters by post.

60. Every letter, relating to any matter concerning the Society, which shall be sent by the Secretary, or by the Council, or otherwise, pursuant to the bye-laws, to a member by the post, addressed to him by his name and residence as entered in the Roll Book of Members, shall be considered to have reached him, and he shall be deemed to have sufficient notice of the contents of such letter, and shall be bound and concluded thereby.

61. The Hall of the Society shall be used for the resort of the members, for their more convenient intercourse in the discharge of their professional duties, subject to the regulations of the Council, and for the holding of the annual and special meetings of the Society, the delivery of lectures, the examination of candidates applying to be admitted as Attorneys or Solicitors, and for any other purpose which the Council shall think likely to promote the views and objects, or to be conducive to the benefit of the Society, and for no other purposes. Use of Hall.

62. No general meeting or assemblage of the members of the Society shall take place in the Hall, unless duly convened in the manner hereinbefore directed; nor shall any public address or debate be allowed there, upon any pretence whatever, except at a meeting regularly convened. No general meeting without notice.

63. A registry shall be kept of such professional and other matters as the Council shall from time to time direct. Registry office.

64. No notice, writing, or paper, except as herein provided, shall be fixed up or placed in the Hall, or in any other part of the building, without the previous consent of the Council, who shall regulate the disposition and fixing thereof. Notices in Hall.

65. If any member shall offend against the Charter or bye-laws, or against any of the regulations and orders to be made by the Council, in pursuance thereof, or shall be guilty of any act which, in the opinion of a general meeting, shall render him unfit to be a member of the Society, he shall be liable, by the order and resolution of a general meeting specially convened for the purpose, to be excluded from the Society; and immediately thereupon he shall cease to be a member thereof. Provided that no order shall be made for the exclusion of any member of the Society, unless fifty members at least shall be present at the meeting to be convened for that purpose, and no meeting shall be convened for such purpose except by the Council, upon a requisition in writing, signed by three or more members of the Society, not being members of the Council, which requisition shall state the grounds of the complaint; and, if the Council shall think fit to entertain the complaint, but not otherwise, a copy thereof shall be sent to the member against whom the complaint is made, who shall be heard, if he think proper, before the Council. Exclusion for misconduct.

GENERAL REGULATIONS

MADE BY THE COUNCIL

PURSUANT TO THE CHARTER AND BYE-LAWS.

. The references indicate the several Bye-Laws under the authority of which the Regulations have been made. See also CHARTER, sec. 10. 11.

ADMISSION AND SUBSCRIPTIONS.

Admission of members by ballot.

1. Persons desiring to become members of the Society may be proposed by two members of the Society, by sending a proposal in writing to the Secretary according to the Form hereinafter mentioned, or by writing the proposal in a book to be kept for that purpose in the Hall; and the names of all persons so proposed shall afterwards be put up on an open board in the Hall and Club Room for fourteen days, and shall be inserted in the summons for the meeting of the Council next after the expiration of the said fourteen days, at which meeting the persons so proposed shall be balloted for, provided there shall be seven or more members present; and if seven members shall not be present, the ballot shall take place at the first subsequent meeting at which seven members shall be present, and two black balls shall exclude; and no person shall be admitted a member of the Society until he shall have been approved by ballot as above, and shall have paid his admission fee and first annual subscription, and signed a copy of the charter in the Secretary's hands, or some document to remain with the Secretary, engaging to conform himself to the charter, bye-laws, and regulations. — *Bye-law 30.*

Accepting charter.

FORM OF PROPOSAL.

We hereby, of our personal knowledge, certify, that Mr. _____, of _____, who served his articles of clerkship to Mr. _____, of _____, is a fit and proper person to become a member of this Society, and we propose him to the Council accordingly.

Dated the _____ day of _____, 184 .

A. B., Proposer.

C. D., Seconder.

2. Members who take out town certificates shall pay two pounds as their subscription to the Hall, Library, and Registry, for the current year ending the 31st day of December; and members who take out country certificates shall pay one pound as their subscription to the Hall, Library, and Registry, for the current year ending the 31st day of December. — *Bye-laws* 33, 34. 53.

Subscription of
town members.

Subscription of
country members.

3. Whenever a person shall be elected a member, his subscription shall commence from the general Quarter Day preceding his election, and a proportion only of the Annual Subscription shall be paid for the remainder of the current year. *Bye-laws* 33, 34. 53.

4. Clerks serving under Articles, or who have served their Articles to Members of the Society, may be admitted to the Library, by order of the Council, on payment of an Annual Subscription of one pound. *Bye-law* 32.

THE HALL.

Bye-law 32.

5. The Hall of the Society shall be open every day, from nine in the morning till ten at night, except Sundays, Christmas Day, Good Friday, and days of public fast and thanksgiving, and such other days as may hereafter be directed by the Council.

Hours of Hall.

6. Strangers may be admitted into the front vestibule for the purpose of seeing members, who are to be called by the hall-keeper.

Strangers.

A book will be kept by the hall-keeper, in which members may enter appointments with each other, and the hours of their attendance in the Hall. Any person may leave, with the porter in the vestibule, letters or written messages addressed to members, but no post letters can be received unless the postage be paid.

Appointment
book.

7. Boxes are provided in the ante-room to the Hall, for the use of members, on payment of 5s. for each annually, and also 5s. for the key, which is to be returned to the member on delivering up the same.

Boxes.

THE LIBRARY.

Bye-law 32.

Hours of Library.

8. The Library shall be open every day (except Sundays, Christmas Day, Good Friday, and days of public fast and thanksgiving, and such other days as may hereafter be directed by the Council,) from nine in the morning till ten in the evening, except from 1st September to 15th October, when it shall be closed at six o'clock; but on Saturdays throughout the year it shall be closed at 4 o'clock.

Regulations as to keeping order.

9. No person shall have access to the Library except members and subscribers admitted by the Council.

10. The member or subscriber so admitted to the Library shall be at liberty to take down books from the shelves; but after such books shall have been taken down, the same shall be left on the tables, and be replaced by the Librarian or his assistant.

11. Particular care is to be taken in refolding maps, plans, pedigrees, and other folding sheets.

12. No person on any pretence whatever shall take away any book out of the Library except in the cases mentioned in the next regulation.

13. In case any scarce book or books shall be wanted for professional purposes by any of the members to be produced in any of the Courts of Law or Equity, or before the Judges at Chambers, Masters in Chancery, Committees of the Houses of Parliament, or other place, application shall be made to the President, Vice-President, or two members of the Council, for permission to remove the same, and the Librarian, or one of the Clerks, shall in such case attend therewith, if such permission be given.

14. No book shall be taken to the fire-place.

Injury to books

15. If any injury shall be done to any of the books, the persons committing the injury shall either purchase a new copy of such book forthwith, or pay the value of it.

16. No conversation can be permitted in the Library.

17. The subscribers admitted by the Council are to occupy the tables on the left-hand side of the room from the

entrance and no others, and on no pretence whatever remove the chairs from any of the tables to the fire-place.

18. The Librarian is required strictly to enforce these rules, and immediately report any breach thereof, or any complaint, to the Council.

THE REGISTRY OFFICE.

Bye-law 32.

19. The Registry Office shall be open from nine in the morning till eight in the evening, every day except Sundays, Christmas Day, Good Friday, and days of public fast and thanksgiving, and such other days as may hereafter be directed by the Council. Hours of Registry Office.

20. The clerks of members may be admitted to the Registry Office and the ante-room for clerks by the side-door only. Admission of clerks.

21. The following books will be kept for registering information, with all necessary particulars and references : — List of books for advertisements.

1. Of professional partnerships, and practice to be disposed of.
2. Of those wanted to be purchased.
3. Of clerks wanted.
4. Of clerks wanting situations.
5. Of monies wanted to be borrowed.
6. Of monies to be lent.
7. Of property to be sold.
8. Of property to be purchased.

22. The fee payable for each entry in such several books shall be five shillings, to remain upon the books not exceeding three months. Fees.

23. Particulars of sale may be left by any person for distribution to members and subscribers applying, on payment of ten shillings ; but no reference is to be made to the Society in such particulars. Particulars of sale.

24. One copy of each particular shall be preserved for reference.

Lists of sittings
and causes.

25. The following lists and papers will be placed in the Registry Office, at the earliest possible time; together with such other information as may appear to be useful:—

The seal papers in equity.

The sittings and circuit papers.

The lists of appeals, &c. in the House of Lords.

The cause lists, special papers, &c. in all the courts of law, equity, and bankruptcy.

List of sheriffs, under-sheriffs, and coroners.

All new rules of court.

Lists of counsel attending the circuit and sessions according to their precedence and seniority.

THE DEPOSIT OFFICE, AND FIRE-PROOF ROOMS.

Bye-laws 32. and 41.

Hours of Deposit
Office.

26. The Deposit Office shall be open every day, from ten in the morning till six in the afternoon, except on Sundays, Christmas Day, Good Friday, and days of public fast and thanksgiving, and such other days as may hereafter be directed by the Council.

Rent of strong
rooms.

27. The fire-proof rooms will be let to persons to be approved of by the Council, at a yearly rent for each room, to be fixed from time to time by the Council, and to be paid in advance; each party to have power to terminate the tenancy at six months' notice, to expire at any time.

Terms of letting.

28. A book to be kept in which the names of the parties taking such rooms, the terms, and every other necessary particular, will be entered, and signed by each party taking the rooms; and a receipt shall be given, on the back of which the regulations shall be printed.

Arrear of rent.

29. If the rent be in arrear for more than one month after notice shall have been given to the renter by letter sent by the post according to the address he shall have left at the office, the renter shall be liable to pay double rent; and the Council, after the end of the year, shall be empowered to

open and take possession of the room, and remove the contents.

30. Some of the fire-proof rooms will also be appropriated for separate deposits, which must be made in boxes locked by the depositors. Deposits.

31. An entry will be made of every deposit, in a Journal to be kept for that purpose; and a copy or copies of the entry, signed by the clerk, will be given to the party depositing. Registry of deposits.

32. Each box will have affixed to it a mark designating the room in which it is deposited, and a particular number distinguishing such deposit and the page in the Journal where it is entered, and the names of the parties by whom, or by whose order, it may be inspected, and to whom, or to whose order, it is to be delivered. Regulations.

33. The Society will not be answerable for the contents of any box, otherwise than for producing the box from time to time to be inspected, and for delivering up the same, when required, to the parties to whom any inspection or delivery shall be directed to be made by the terms of the deposit; and they will not be answerable for any loss or damage that may happen to deposits from fire, tempest, military violence, popular tumult, or other accident. Responsibility of the Society.

34. Depositors, or others duly authorised by their written orders, shall be entitled to remove their deposits whenever they think proper, and to inspect the same, and make or examine copies or abstracts of deeds, from time to time; and to have the use of a room for such purposes during seasonable hours, on payment of the stipulated fees as after mentioned. Inspection and removal of deposits.

35. No deposit shall be opened by any officer, clerk, or servant of the Society, nor by any person except the party authorised by the terms of the deposit, or some other person, (not being an officer, clerk, or servant of the Society,) who shall produce and leave in the office a written order for such inspection, from the party so authorised.

36. The Society may require depositors to remove their deposits at any time, on giving six calendar months' notice; but shall in that case repay to the depositors whatever may Notice of removal of deposits.

have been advanced for rent, exceeding the time the deposit shall have been kept. And, in case any deposit shall not be removed after the expiration of such notice, the Society shall return the same to the party to whom the same shall have been ordered to be delivered by the terms of the deposit, or may otherwise dispose of the same as they shall think fit.

Rent for deposits. 37. Depositors shall pay rent to the Society according to the size of the deposit, but not less than five shillings per annum for each box.

Payment in advance. 38. One year's rent shall be paid in advance, at the time of deposit, and so on from year to year.

Arrears. 39. If the rent of any deposit shall be more than two years in arrear, notice shall be given to the parties to whom the same shall have been ordered to be delivered by the terms of the deposit, by a letter sent by the post, according to the address given at the time of deposit; and, unless the arrears shall be paid within three months after such notice, the parties shall be liable for double rent, and the Council shall be at liberty to return the deposit, or otherwise to dispose thereof, as and when they may think proper.

Fees. 40. The following fees shall be paid by depositors:—

	<i>s.</i>	<i>d.</i>
For each inspection of a deposit - - -	3	6
For the use of a private room, (if required, for such inspection,) for the first hour - - -	5	0
For each succeeding hour - - -	2	6
For each removal of a deposit, and entering the same in the Journal - - -	2	6

N.B. Renters who require rooms for inspection will be subject to the same charges for the rooms.

THE ROOMS FOR MEETINGS OF ARBITRATORS.

Bye-laws 32 and 41.

Meeting rooms. 41. Rooms at the west end of the building are appropriated by the Council for private meetings under the following regulations:—

No room to be let except on application to the Secretary, in the form approved by the Council signed by the member applying, and specifying the particulars required in such form, as far as circumstances permit ; such application to be countersigned by the Secretary.

That in arbitrations where there are not more than six witnesses to be examined on both sides, the ante-room on the ground floor of the western entrance be appropriated to their use, without extra charge.

That when there are more than six witnesses on both sides a separate room, or separate rooms be taken for them, the charge for which shall be half what is paid for the principal room, which is, 10s. for three hours, and 15s. if above three hours.

That no arbitration room be used for a meeting after 5 o'clock when there are more than six witnesses on both sides, except on special application, and to be authorised by the President or Vice-President, or any two members of the Council.

That no room be let for any other purpose than that of arbitrations, or other similar business of the profession without the like authority.

MEETINGS AND PROCEEDINGS OF THE COUNCIL.

42. The ten members of the Council who shall go out of office in rotation annually, shall be those ten of the members liable to go out by such rotation, who shall have attended the fewest number of meetings of the Council during the preceding year. *Bye-law 23.*

Regulation as to Council retiring in rotation.

43. The ordinary meetings of the Council shall be held every Thursday at two o'clock. *Bye-law 31.*

Day of meeting.

44. That at all meetings of the Council, the President shall take the chair ; and in his absence the Vice-President ; and in the absence of both President and Vice-President, then one of the members of the Council, to be chosen by the members of the Council then present. *Bye-law 31.*

Chairman.

Appointment of
special meetings.

45. In cases of emergency, the Secretary shall communicate with the President, and in his absence with the Vice-President, and in the absence of both President and Vice-President, with two Members of the Council, who may direct a special meeting of the Council to be convened if he or they think proper. *Bye-law 31.*

Conduct of
business.

46. All debates and the business of adjourned meetings of the Council shall be conducted in the same manner, and the powers of the Chairman shall be the same as are provided by the 10th and 12th sections of the bye-law No. 13. with respect to general meetings. *Bye-law 31.*

Committees.

47. Immediately after each Annual General Meeting, the Council shall divide itself into such Committees for particular purposes as may be convenient, and shall prescribe the powers to be delegated to each Committee. *Bye-law 31.*

Order of proceed-
ings.

48. The proceedings of the Council at their meetings shall be taken in the following order, unless for some special reason the same shall be varied, viz. (*Bye-law 31.*)

1. The minutes of the last meeting of the Committee shall be read by the Secretary, and, if found correct, or after being corrected if necessary, shall be signed by the Chairman. In like manner the minutes of any general meeting which may have taken place shall be read, previous to the signature thereof, by the Chairman of such meeting.
2. A report shall be made by the Secretary of the state of the funds, the number of members, and of the arrears of admission fees, subscriptions, and rents.
3. Proposed members to be balloted for, if seven members present.
4. Nomination of proposed members to be reported. Articled clerks' admissions to the library.
5. Letters shall be read, and the instructions of the Council given thereon.
6. Business undisposed of at a former meeting to be resumed.

7. The minutes of the proceedings and reports of Committees to be read, and directions given thereon.
8. Drafts to be passed.
9. Motions to be made, of which notice has been given at some previous meeting.
10. New matters to be brought forward, first by the President and Vice-President, then by members in alphabetical rotation, and afterwards by the Secretary.
11. Notices of motions for future days to be given in the same rotation.
12. No resolution passed at any meeting of the Council shall be rescinded at any subsequent meeting, unless notice thereof shall be given in the circular convening the meeting.
13. That no motion which in any way touches the constitution of the Society be considered unless previous notice be given in the summons for the meeting; and in case it be passed, the same shall not be acted upon until confirmed by a subsequent meeting.
14. That no question be considered unless the member who gave notice of his intention to propose the same be present, or unless he shall send a request in writing to some member of the Council to move the same.
49. No payment shall be made without an order of the Council; and all drafts on the bankers shall be signed by three members of the Council, and counter-signed by the Secretary. *Bye-law 31.* Payments.
50. The Common Seal shall be kept in a box with two different locks, and the key of one of such locks shall be enclosed in a paper under the seals and signatures of the President, Vice-President, or two members of the Council, and deposited with the Secretary, which may be opened, re-sealed, and signed by the President, Vice-President, or any two members of the Council, as occasion shall require; and the key of the second lock shall be enclosed in like manner Common Seal.

in a paper under the seal of the Secretary, and to be opened by him only, or in his absence by the person who acts as Secretary for the time being. *Bye-law 43.*

OFFICERS' APARTMENTS.

Bye-law 40.

Secretary's apartments.

51. The apartments in the building belonging to the Society, appropriated for the residence of the Secretary, are three sitting-rooms, a kitchen and scullery, and one bedroom on the second floor of the western part of the building; and the attics over part of the same, on the third floor, with a separate entrance from Bell Yard.

Porters' room.

52. A room in the basement, next Chancery Lane, has been appropriated for the use of the porters.

GRANT OF ARMS AND CREST.

To all and Singular to whom these Presents shall come Sir CHARLES GEORGE YOUNG, Knight, Garter Principal King of Arms, JOSEPH HAWKER, Esquire, Clarenceux King of Arms and FRANCIS MARTIN, Esquire, Norroy King of Arms, send Greeting: ~~Whereas~~ The President on behalf of himself, the Vice President and Council of "the Society of Attorneys, Solicitors Proctors and others not being Barristers practising in the Courts of Law and Equity of the United Kingdom" hath represented unto the Most Noble HENRY CHARLES Duke of Norfolk, Earl Marshal and Hereditary Marshal of England, that THE QUEEN has been graciously pleased by Her Royal Charter under the Great Seal bearing date the twenty-sixth day of February last to incorporate certain persons therein named into one body Politic and Corporate by the Name of "The Society of Attorneys, Solicitors Proctors and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom" and that they and their Successors by that name may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in whatsoever Courts and Places: That in the said Letters Patent of Incorporation it is declared that the Society shall and may have and use a Common Seal for the affairs and business of the Society with power and authority from time to time at their will and pleasure to break, change alter and make new the same as to them shall seem expedient and that the succession of the said Society shall be perpetual: That the President, Vice President and Council of the said Society being desirous that a Common Seal should be assigned to them under competent authority He therefore requested His Grace to issue his Warrant for our granting and assigning such Arms and Crest as may be proper to be borne by the said Society on Seals, Shields, Banners or otherwise according to the Laws of Arms: And forasmuch as the said Earl Marshal did by Warrant under his hand and Seal bearing date the twenty-sixth day of May last authorize and direct Us to grant and

Recital of the
Charter of the
Society.

assign such Arms and Crest accordingly : Know *We* therefore that *We* the said Garter, Clarenceux and Norroy in pursuance of His Grace's Warrant and by virtue of the Letters Patent of our several Offices to each of Us respectively granted do by these Presents grant and assign unto The President, Vice President and Council of the Society of Attorneys, Solicitors Proctors and others, not being Barristers practising in the Courts of Law and Equity of the United Kingdom the Arms following, that is to say, *Ermine, on a Cross Gules a Sword sheathed in pale point upwards Or, a Chief of the last thereon a Pale of the Second charged with a Lion passant guardant of the Third between a Lion rampant also of the Second upon the dexter side, and upon the sinister a Harp Azure.* And for the Crest, *On a Wreath of the Colours, The Figure of Justice represented by a Female Figure blindfolded habited Azure, mantled Gules, in the right hand a Balance suspended Or, and in the left a Sword erect proper* as the same are in the margin hereof more plainly depicted, together with the motto LEGES JURAQUE SERVAMUS to be borne and used for ever hereafter by the President, Vice President and Council of the said Society of Attorneys, Solicitors Proctors and others not being Barristers practising in the Courts of Law and Equity of the United Kingdom, and their Successors on Seals, Shields, Banners or otherwise according to the Laws of Arms : In Witness whereof *We* the said Garter, Clarenceux and Norroy Kings of Arms have to these Presents subscribed Our names and affixed the Seals of our several Offices this fourth day of June in the eighth year of the Reign of Our Sovereign Lady Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith &c and in the year of Our Lord One thousand eight hundred and forty five.

CHA^s. GEO. YOUNG, (L.S.) *Garter.*

J. HAWKER, (L. S.) *Clarenceux.*

FRA^s. MARTIN, (L. S.) *Norroy.*

Recorded in the College of Arms London, this twelfth day of June, 1845.

J. PULMAN

Richmond Herald and Registrar.

I do hereby certify that the foregoing is a faithful copy of the original Patent, and examined by me

ALBERT W. WOODS
Lancaster Herald.

GRANT OF SUPPORTERS.

To all and Singular to whom these Presents shall come Sir CHARLES GEORGE YOUNG, Knight, Garter Principal King of Arms sendeth Greeting: ~~Wheras~~ The President on behalf of himself, the Vice President and Council of the Society of Attorneys, Solicitors Proctors and others not being Barristers practising in the Courts of Law and Equity of the United Kingdom hath represented unto the Most Noble HENRY CHARLES Duke of Norfolk, Earl Marshal and Hereditary Marshal of England, that THE QUEEN has been graciously pleased by Her Royal Charter under the Great Seal bearing date the twenty-sixth day of February last to incorporate certain persons therein named into one body Politic and Corporate by the Name of "The Society of Attorneys, Solicitors, Proctors and others not being Barristers practising "in the Courts of Law and Equity of the United Kingdom" and that they and their Successors by that name may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in whatsoever Courts and Places: That in the said Letters Patent of Incorporation it is declared that the Society shall and may have and use a Common Seal for the Affairs and business of the Society with power and authority from time to time at their will and pleasure to break change alter and make new the same as to them shall seem expedient and that the succession of the said Society shall be perpetual: That the President, Vice President and Council of the said Society being desirous that a Common Seal should be assigned to them under competent authority He therefore requested His Grace to issue His Warrant for my granting and assigning such Supporters as may be proper to be borne by the said Society on Seals, Shields, Banners or otherwise according to the Laws of Arms: And forasmuch as the said Earl Marshal did by Warrant under his hand and Seal bearing date the twenty-sixth day of May last authorize and direct me to grant and assign such

Recital of the
Charter of the
Society

Grant of Sup-
porters.

To be used on
Seals, Shields, &c.

Supporters accordingly: Know Ye therefore that I the said Garter in pursuance of His Grace's Warrant and by virtue of the Letters Patent of my Office to me granted do by these Presents grant and assign unto The President, Vice President and Council of the Society of Attorneys, Solicitors Proctors and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom the Supporters following that is to say *On the dexter side a Pegasus Or, around the neck a double chain Gold and pendent therefrom an Escoccheon Ermine charged with a Rose Gules And on the sinister side a Lion Purpure, around the neck a double chain and pendent therefrom an Escoccheon Or charged with a Trefoil slipped Vert* as the same are in the margin hereof more plainly depicted to be borne and used for ever hereafter by the said President, Vice President and Council of the said Society of Attorneys Solicitors Proctors and others not being Barristers practising in the Courts of Law and Equity of the United Kingdom, and their Successors on Seals, Shields, Banners or otherwise according to the Laws of Arms: In Witness whereof I the said Garter Principal King of Arms have to these Presents subscribed my name and affixed the Seal of my Office this fifth day of June in the eighth year of the Reign of Our Sovereign Lady Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith &c and in the year of Our Lord One thousand eight hundred and forty five.

CHA^s. GEO. YOUNG, (L. S.) *Garter.*

Recorded in the College of Arms London, this twelfth day of June, 1845.

J. PULMAN

Richmond Herald and Registrar.

I do hereby certify that the foregoing is a faithful copy of the original Patent, and examined by me

ALBERT W. WOODS
Lancaster Herald.

6 & 7 VICT. c. 73.

AN ACT

FOR

CONSOLIDATING AND AMENDING SEVERAL OF THE LAWS

RELATING TO

ATTORNIES AND SOLICITORS

PRACTISING IN ENGLAND AND WALES.

22d August 1843.

1. *Repeal of former Acts.* — Whereas the Laws relating to Attornies and Solicitors are numerous and complicated, and it is expedient to consolidate and simplify, and to alter and amend the same: be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Acts and parts of Acts set forth in the first part of the First Schedule hereunto annexed, so far as the same relate to that part of the United Kingdom of Great Britain and Ireland called England and Wales, shall be and the same are hereby repealed, save only and except so far as such Acts or parts of Acts, or any of them, repeal the whole or any part of the same, or of any other Act or Acts, and also save and except so far as relates to any matters or things done at any time before the passing of this Act, all which matters and things shall be and remain good, valid, and effectual, to all intents and purposes whatsoever, as if this Act had not passed, and also save and except as to the recovery and application of any penalty for any offence which shall have been committed before the passing of this Act: Provided always, That nothing in this Act shall be construed to repeal or alter any of the Acts or parts of Acts mentioned to be saved in the second part of the First Schedule hereunto annexed.

2. *No person to act as an Attorney or Solicitor unless admitted and enrolled.*—And be it enacted, That from and after the passing of this Act no person shall act as an Attorney or Solicitor, or as such Attorney or Solicitor sue out any writ or process, or commence, carry on, solicit, or defend any action, suit, or other proceeding, in the name of any other person or in his own name, in Her Majesty's High Court of Chancery, or Courts of Queen's Bench, Common Pleas, or Exchequer, or Court of the Duchy of Lancaster, or Court of the Duchy Chamber of Lancaster at Westminster, or in any of the Courts of the Counties Palatine of Lancaster and Durham, or in the Court of Bankruptcy, or in the Court for the Relief of Insolvent Debtors, or in any County Court, or in any Court of Civil or Criminal Jurisdiction, or in any other Court of Law or Equity, in that part of the United Kingdom of Great Britain and Ireland called England and Wales, or act as an Attorney or Solicitor in any cause, matter, or suit, civil or criminal, to be heard, tried, or determined before any Justice of Assize, of Oyer and Terminer or Gaol Delivery, or at any General or Quarter Sessions of the Peace for any county, riding, division, liberty, city, borough, or place, or before any Justice or Justices, or before any Commissioners of Her Majesty's Revenue, unless such person shall have been, previously to the passing of this Act, admitted and enrolled, and otherwise duly qualified to act as an Attorney or Solicitor under or by virtue of the laws now in force, or unless such person shall, after the passing of this Act, be admitted and enrolled, and otherwise duly qualified to act as an Attorney or Solicitor pursuant to the directions and regulations of this Act, and unless such person shall continue to be so duly qualified and on the roll at the time of his acting in the capacity of an Attorney or Solicitor as aforesaid.

3. *No person to be admitted an Attorney or Solicitor unless he shall have served a Clerkship of Five Years. Proviso as to Courts of Lancaster and Durham.*—And be it enacted, That, except as hereinafter mentioned, no person shall from and after the passing of this Act, be capable of being admitted and enrolled as an Attorney or Solicitor, unless such person shall have been bound by contract in writing to serve as Clerk for and during the term of Five Years to a practising Attorney or Solicitor in England or Wales, and shall have duly served under such contract for and during the said term of Five Years; and also unless such person shall, after the expiration of the said term of Five Years, have been examined and sworn in the manner hereinafter directed: Provided always, that any person who now is or shall hereafter be bound by contract in writing to serve as Clerk to a practising Attorney

or Solicitor of the Court of Common Pleas of the County Palatine of Lancaster or the Court of Pleas of the County Palatine of Durham respectively for the term of Five Years, and shall continue in such service for and during the said term, and shall during the whole of such term have been actually employed by such Attorney or Solicitor, or by the London Agent of any such Attorney or Solicitor, or by any practising Barrister or Special Pleader, with the consent of such Attorney or Solicitor, for any part of the said term not exceeding One Year, shall be admitted and enrolled an Attorney of the said last mentioned Courts respectively as heretofore, on his satisfying the Judges for the time being of the said Courts respectively of his being qualified to act as an Attorney or Solicitor.

4. *No Attorney to have more than Two Clerks at one time, or to take or retain any Clerk after discontinuing business, nor whilst Clerk to another.*—And be it enacted, that no Attorney or Solicitor shall have more than Two Clerks at one and the same time, who shall be bound by such contract in writing as aforesaid, to serve him as Clerks; and that no Attorney or Solicitor shall take, have or retain any Clerk who shall be bound by contract in writing as aforesaid, after such Attorney or Solicitor shall have discontinued or left off practising as or carrying on the business of an Attorney or Solicitor, nor whilst such Attorney or Solicitor shall be retained or employed as a Writer or Clerk by any other Attorney or Solicitor; and service by any Clerk under articles to an Attorney or Solicitor for and during any part of the time that such Attorney or Solicitor shall be so employed as Writer or Clerk by any other Attorney or Solicitor, shall not be deemed or accounted as good service under such Articles.

5. *In case Attorney become bankrupt or insolvent, or be imprisoned.*—And be it further enacted, That in case any Attorney or Solicitor to whom any Clerk shall be bound by contract in writing, as aforesaid, shall, before the end or determination of such contract, become bankrupt, or take the benefit of any Act for the Relief of Insolvent Debtors, or be imprisoned for debt and remain in prison for the space of Twenty-one Days, it shall be lawful for any of the said Courts of Law or Equity, wherein such Attorney or Solicitor is admitted as aforesaid, upon the application of such Clerk, to order and direct the said contract to be discharged, or assigned to such person upon such terms and in such manner as the said Court shall think fit.

6. *Persons bound for Five Years may serve One Year with a Barrister or Special Pleader, and One Year with a London Agent.*—Provided always, and be it enacted, That any person

who now is or hereafter shall be bound by contract in writing to serve as a Clerk to a practising Attorney or Solicitor for the term of Five Years, and who shall actually and bonâ fide be and continue as pupil with and as such be employed by any practising Barrister, or any person bonâ fide practising as a certificated Special Pleader, in England or Wales, for any part of the said term, not exceeding One whole Year, and in addition thereto or instead thereof, with the London Agent of the Attorney or Solicitor to whom any such person shall be so bound by contract as aforesaid, for any part of the said term not exceeding One Year, either by virtue of any stipulation in such contract, or with the permission of such Attorney or Solicitor, shall be capable of being examined, and sworn and admitted, and enrolled as an Attorney or Solicitor, in the same manner as if he had served the whole of the said period of Five Years with the Attorney or Solicitor to whom he may be so bound.

7. *Any Person who has taken a Degree at Oxford, Cambridge, Dublin, Durham, or London, may act as an Attorney or Solicitor upon having served a Clerkship of Three Years. One Year with Agent.*—Provided always, and be it enacted, That any person who shall have taken or who shall take the degree of Bachelor of Arts within Six Years after his Matriculation, or the degree of Bachelor of Laws within Eight Years after his Matriculation, either in the University of Oxford, or in the University of Cambridge, or in the University of Dublin, or in the University of Durham, or in the University of London, and who shall within Four Years after the day whereon he shall have taken or shall take such degree, be bound by contract in writing to serve as a Clerk for and during the term of Three Years to a practising Attorney or Solicitor in England or Wales, and shall have continued in such service for and during the said term of Three Years, and shall during the whole of such term have been actually employed by such Attorney or Solicitor, or by the London Agent of such Attorney or Solicitor, with his consent, for any part of the said term, not exceeding One Year, in the proper business, practice or employment of any Attorney or Solicitor, and who shall after the expiration of the said term of Three Years have been examined and sworn in the manner hereinafter directed, shall be capable of being admitted and enrolled as an Attorney or Solicitor, although he shall have served a clerkship under such contract as aforesaid, for and during the term of Three Years only.

8. *Affidavit to be made and filed within Six Months of execution of Articles, and the Articles to be enrolled.*—And be it enacted, That whenever any person shall, after the passing

of this Act, be bound by contract in writing to serve as a Clerk to any Attorney or Solicitor as aforesaid, the Attorney or Solicitor to whom such person shall be so bound as aforesaid, shall, within Six Months after the date of every such contract, make and duly swear, or cause or procure to be made and duly sworn, an affidavit or affidavits of such Attorney or Solicitor having been duly admitted, and also of the actual execution of every such contract by him the said Attorney or Solicitor, and by the person so to be bound to serve him as a Clerk as aforesaid; and in every such affidavit shall be specified the names of every such Attorney or Solicitor, and of every such person so bound, and their places of abode respectively, together with the day on which such contract was actually executed; and every such affidavit shall be filed within Six Months next after the execution of the said contract with and by the Officer appointed or to be appointed for that purpose, as hereinafter mentioned, who shall thereupon enrol and register the said contract, and shall make and sign a memorandum of the day of filing such affidavit upon such affidavit and also upon the said contract.

9. *If not filed within Six Months, the Service to reckon from the day of filing, unless &c.*—Provided always, and be it enacted, That in case such affidavit be not filed within such Six Months, the same may be filed by the said Officer after the expiration thereof, but the service of such Clerk shall be reckoned to commence and be computed from the day of filing such affidavit, unless one of the said Courts of Law or Equity shall otherwise order.

10. *Affidavit to be produced on applying for admission.*—And be it enacted, That no person who shall from and after the passing of this Act become bound as aforesaid shall be admitted an Attorney or Solicitor before such affidavit so marked as aforesaid shall have been produced to the Court or Judge to whom such person shall apply to be admitted an Attorney or Solicitor, in pursuance of the provisions herein-after contained, unless such Court or Judge shall be satisfied that the same cannot be produced, and shall think fit to dispense with the production thereof.

11. *Book to be kept for entering the Substance of Affidavits with the Names, &c. of Attorney and Clerk, &c. which may be searched.*—And be it enacted, That the Officer so appointed or to be appointed for filing such affidavits as aforesaid, shall keep a book wherein shall be entered the substance of every affidavit which shall be so filed as aforesaid, specifying the name and place of abode of the Attorney or Solicitor to whom any person shall be bound to serve as a Clerk, and of the Clerk or person who shall be so bound as aforesaid, and of the person

making such affidavit, with the date of the articles or contract in such affidavit mentioned or referred to, and the days of swearing and filing every such affidavit respectively; and such Officer shall be at liberty to take, at the time of filing every such affidavit, the sum mentioned in the Second Schedule to this Act annexed, and no more, as a recompense for his trouble in filing such affidavits, and preparing and keeping such books as aforesaid; and such books shall and may be searched in office hours, by any person whomsoever, without fee or reward.

12. *How Clerks to be employed.* — And be it enacted, That every person who now is or hereafter shall be bound by contract in writing to serve as a Clerk to any Attorney or Solicitor shall, during the whole time and term of service to be specified in such contract, continue and be actually employed by such Attorney or Solicitor in the proper business, practice, or employment, of an Attorney or Solicitor, save only and except in the cases hereinbefore mentioned.

13. *Clerks whose Masters have died or left off practice may enter into fresh contracts for the residue of their term.* — And be it enacted, That if any Attorney or Solicitor to or with whom any such person shall be so bound shall happen to die before the expiration of the term for which such person shall be so bound, or shall discontinue or leave off practice as an Attorney or Solicitor, or if such contract shall by mutual consent of the parties be cancelled, or in case such Clerk shall be legally discharged before the expiration of such term by any rule or order of the Court wherein such Attorney or Solicitor shall have been admitted, such Clerk shall and may in any of the said cases be bound by another contract or other contracts in writing to serve as Clerk to any other practising Attorney or Solicitor, or Attornies or Solicitors, during the residue of the said term; and service under such second or other contract, in manner hereinbefore mentioned, shall be deemed and taken to be good and effectual, provided that an affidavit be duly made and filed of the execution of such second or other contract or contracts within the time and in the manner hereinbefore directed, and subject to the like regulations with respect to the original contract and affidavit of the execution thereof.

14. *Clerks, before admission, to make affidavit of having served.* — And be it enacted, That every person who shall have been or shall be bound as a Clerk as aforesaid shall, before he be admitted an Attorney or Solicitor according to this Act, prove, by an affidavit of himself, or of the Attorney or Solicitor to whom he was bound as aforesaid, or such Agent, Barrister, or Special Pleader as aforesaid, to be duly made and filed

with the proper Officer hereinbefore mentioned, that he hath actually and really served and been employed by such practising Attorney, Solicitor, Agent, Barrister, or Special Pleader, during the whole time and in the manner required by the provisions of this Act, and in the form to be approved by the Judges of the Court wherein such persons shall apply to be admitted.

15. *Persons, on applying for admission as Attornies, to be examined as to fitness and capacity. Oaths to be administered.*

— And be it enacted, That it shall be lawful for the Judges of the said Courts of Queen's Bench, Common Pleas, and Exchequer, or any One or more of them, and he and they is and are hereby authorized and required, before he or they shall issue a fiat for the admission of any person to be an Attorney, to examine and inquire, by such ways and means as he or they shall think proper, touching the articles and service and the fitness and capacity of such persons to act as an Attorney; and if the Judge or Judges as aforesaid shall be satisfied by such examination, or by the certificate of such Examiners, as hereinafter mentioned, that such person is duly qualified and fit and competent to act as an Attorney, then, and not otherwise, the said Judge or Judges shall and he and they is and are hereby authorized and required to administer or cause to be administered to such person the oath hereinafter directed to be taken by Attornies and Solicitors, in addition to the oath of allegiance, and after such oaths taken to cause him to be admitted an Attorney of such Court, and his name to be enrolled as an Attorney of such Court, which admission shall be written on parchment, and signed by such Judge or Judges respectively, and shall be stamped with the stamps by law required to be impressed on the admission of Attornies.

16. *Judges may appoint Examiners.*— And for the purpose of facilitating the inquiry touching the due service under articles as aforesaid, and the fitness and capacity of any person to act as an Attorney; be it enacted, That it shall be lawful for the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer, (or any Eight or more of them, of whom the Chiefs of the said Courts shall be Three,) from time to time to nominate and appoint such persons to be Examiners for the purposes aforesaid, and to make such rules and regulations for conducting such examination, as such Judges shall think proper.

17. *The Master of the Rolls, before admitting any person as a Solicitor, to inquire as to his fitness and capacity.*— And be it enacted, That it shall be lawful for the Master of the Rolls and he is hereby authorized and required, before he shall admit any person to be a Solicitor, to examine and inquire, by such

ways and means as he shall think proper, touching the fitness and capacity of such person to act as a Solicitor, and for that purpose from time to time to appoint such persons as Examiners, and to make such orders and regulations for conducting such examination, as he shall think proper; and if the Master of the Rolls shall, by such examination, or by the certificate of such Examiners, be satisfied that such person is duly qualified to be admitted to act as a Solicitor, then, and not otherwise, the Master of the Rolls shall and he is hereby authorized to administer or cause to be administered to such person the oath hereinafter directed to be taken by Attornies and Solicitors, in addition to the oath of allegiance, and after such oaths taken to cause him to be admitted a Solicitor in the Court of Chancery, and his name to be enrolled as a Solicitor in such Court, which admission shall be written on parchment, and signed by the Master of the Rolls, and shall be stamped with the stamps by law required to be impressed on the admission of Solicitors.

18. *The Master of the Rolls jointly with the Judges may appoint Examiners touching the admission of persons to act both as Attornies and Solicitors.*— Provided always, and be it enacted, That it shall be lawful for the Master of the Rolls, jointly with the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer, or with any Eight or more of them, (of whom the Chiefs of the said Courts shall be Three,) if they shall see fit so to do, to nominate and appoint Examiners, and to make rules and regulations for conducting the examinations of persons applying to be admitted as Attornies and Solicitors, as well touching the articles and service as the fitness and capacity of such persons to act both as Attornies and Solicitors; and if the Master of the Rolls or any of the Judges of the said Courts of Common Law shall, by such examination, or by the certificate of such Examiners, be satisfied that such person is duly qualified to be admitted to act as an Attorney and Solicitor, then, and not otherwise, the Master of the Rolls as to the Court of Chancery, and one of the Judges as to the said Courts of Law at Westminster, shall and he is hereby authorized to administer or cause to be administered to such person the oath hereinafter directed to be taken by Solicitors and Attornies, in addition to the oath of allegiance, and after such oaths taken to cause him to be admitted an Attorney and Solicitor, and his name to be enrolled as an Attorney of the said Courts of Law at Westminster, and also a Solicitor of the said High Court of Chancery, which admissions shall be written on parchment, and signed by the Master of the Rolls or one of the Judges of the said wourts of Law at Westminster, as the case may be.

19. *Attornies and Solicitors, before admission, to take Oath.* And be it enacted, That every person who shall pursuant to this Act apply to be admitted an Attorney or Solicitor shall, before he be admitted and enrolled as aforesaid, take and subscribe the oath, or, if he be one of the people called Quakers, the affirmation, following:



"I, A. B., do swear, [or, solemnly affirm, as the case may be,] that I will truly and honestly demean myself in the practice of an Attorney, [or, Solicitor, as the case may be,] according to the best of my knowledge and ability.

"So help me GOD."

20. *The proper Officers for filing Affidavits of the execution of articles of Clerkship and for having the care of the Rolls. Names of Attornies to be enrolled in alphabetical order. Names of Solicitors to be enrolled in alphabetical order.*— And be it enacted, That from and after the passing of this Act the Masters of the several Courts of Law at Westminster, or such other person or persons as the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, shall for that purpose severally and respectively appoint, shall be deemed and taken to be the proper Officers for filing such affidavits as aforesaid in the said respective Courts, and they shall have the custody and care of the rolls or books wherein persons are at present enrolled as Attornies in the said respective Courts, and shall and they are hereby respectively required from time to time, without fee or reward, (other than such sum or sums as are mentioned in the second Schedule hereunto annexed) to enrol the name of every person who shall be admitted an Attorney in the said respective Courts, pursuant to the directions in this Act, and the time when admitted, in alphabetical order, in rolls or books to be provided and kept for that purpose in their several and respective offices; and also that the Queen's Remembrancer in the Court of Exchequer, or his Deputy, and the Chief Clerk of the Court of the Duchy Chamber of Lancaster at Westminster, or his Deputy, and the Prothonotaries of the Courts of the Counties Palatine of Lancaster and Durham, or their Deputies, or such person or persons as the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer shall jointly appoint, shall have the custody and care of the rolls or books wherein persons are at present enrolled as Attornies and Solicitors in the said last-mentioned respective Courts, which said Prothonotaries of the

Courts of the Counties Palatine of Lancaster and Durham, or their Deputies, or such Person or Persons as shall be appointed as last mentioned, shall be deemed and taken to be the proper Officers for filing such Affidavits as hereinbefore mentioned in the Court of Common Pleas at Lancaster and the Court of Pleas at Durham respectively; and he and they is and are hereby respectively required from time to time without fee or reward, other than such sum or sums of money as are now payable, to enrol the name of every person who shall be admitted an Attorney in the said last-mentioned respective Courts, pursuant to the directions in this Act, and the time when admitted, in alphabetical order, in rolls or books to be provided and kept for that purpose in their several and respective Offices: and also that the Senior Clerk of the Petty Bag Office in the Court of Chancery, or his Deputy, the Chief Clerk of the Duchy Chamber of Lancaster at Westminster, or his Deputy, the Registrars of the respective Courts of Equity in the Counties Palatine of Lancaster and Durham, or such other person or persons as the Master of the Rolls shall for that purpose appoint, shall have the custody and care of the rolls or books wherein persons are at present enrolled as Solicitors, and which said Clerk of the Petty Bag Office, or such other person or persons as shall be appointed as last mentioned, shall be deemed and taken as the proper officer or officers for filing such affidavits as hereinbefore mentioned in the Court of Chancery, and he and they is and are hereby also respectively required from time to time, without fee or reward, other than as last aforesaid, to enrol the name of every person who shall be admitted a Solicitor, pursuant to the directions in this Act, and the time when admitted, in alphabetical order, in rolls or books to be kept for that purpose, to which rolls or books in the said Courts of Law or Equity respectively all persons shall and may have free access, without fee or reward.

21. *Appointment of the Incorporated Law Society as Registrar of Attornies and Solicitors.*— And be it enacted, That from and after the passing of this Act there shall be a Registrar of Attornies and Solicitors; and that it shall be the duty of such Registrar to keep an alphabetical roll or book, or rolls or books, of all Attornies and Solicitors, and to issue certificates of persons who have been admitted and enrolled as Attornies or Solicitors, and are entitled to take out stamped certificates authorizing them to practise as such; and it shall be lawful to and for the Lord Chief Justice of Her Majesty's Court of Queen's Bench, the Master of the Rolls, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, (or any Three of them, of whom the Master of the Rolls shall be one,) to make such

orders, directions, and regulations, touching the performance and execution of the duties aforesaid, as they shall think proper; and such Registrar, or some person duly appointed by him, shall have free access to and shall be at liberty from time to time to examine and take copies or extracts, without fee or reward, of all rolls or books kept for the enrolment of Attornies or Solicitors in any of the Courts at Westminster, and for the enrolment of Attornies and Solicitors in the Court of the Duchy of Lancaster, or Court of the Duchy Chamber of Lancaster at Westminster, or in any Courts of the Counties Palatine of Lancaster and Durham, and that the duties of such office of Registrar shall be performed by the Incorporated Society of Attornies, Solicitors, Proctors, and others, not being Barristers, practising in the Courts of Law and Equity of the United Kingdom, whether by their present or any future Charter of Incorporation, unless and until the Lord Chief Justice of the Court of Queen's Bench, the Master of the Rolls, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer (or any Three of them, of whom the Master of the Rolls shall be one), shall, by any order under their hands, which order they are hereby authorized and empowered to make, appoint any fit and proper person to perform the said duties in the place and stead of the said Society, (which said person shall be called the Registrar of Attornies and Solicitors, and shall hold such office or employment during pleasure only,) and so from time to time to appoint any other fit and proper person, or the said Society, to perform the said duties during pleasure.

22. *Commissioners of Stamps not to grant any Certificate, until Registrar has certified that the person applying is entitled thereto. Commissioners to deliver all such Certificates yearly to the Registrar endorsed with the date of granting Certificate.* — And be it enacted, That from and after the Fifteenth day of November next, it shall not be lawful for the Commissioners of Stamps and Taxes, or any of their officers, to grant or issue to any person any stamped certificate authorizing such person to practise as an Attorney or Solicitor, unless nor until he shall leave with the said Commissioners, or their proper officer, at the Head Office for Stamps and Taxes at Somerset House, in the County of Middlesex, a certificate from such Registrar as aforesaid, that such person is an Attorney or Solicitor, and entitled to take out such stamped certificate; and the said Commissioners, or their proper officer, shall deliver to the said Registrar, on the Sixth day of April in every year, or so soon afterwards as the said Registrar shall apply for the same, all such Registrar's certificates under the authority of which any stamped certifi-

cates shall have been granted or issued since the Fifteenth day of November preceding, with a note or memorandum endorsed or written thereon respectively by the proper officer of the said Commissioners, stating the date of the stamped certificate granted or issued in respect thereof, and shall from time to time afterwards, whenever application shall be made for that purpose by the said Registrar, deliver to him all such other Registrar's certificates under the authority of which any stamped certificates shall have been granted or issued upon or after the Sixth day of April and before the Sixteenth day of November in every year, with a like note or memorandum endorsed or written thereon respectively as aforesaid.

23. *On application for Certificate, a Declaration to be signed and entered in a book.* — And be it enacted, That for the purpose of obtaining such Registrar's Certificate as aforesaid, a declaration in writing, signed by such Attorney or Solicitor, or by his Partner, or in case such Attorney or Solicitor shall reside more than Twenty Miles from London then by his London Agent on his behalf, containing his name and place of residence, and the Court or one of the Courts of which he is then admitted an Attorney or Solicitor, together with the term and year in or as of which he was so admitted, shall be delivered to the said Registrar, who shall cause all the particulars in such declaration to be entered in a proper book to be kept for that purpose, which shall be open to the inspection and examination of all persons, without fee or reward; and the said Registrar shall, after the expiration of Six days after the delivery of such declaration, (unless he shall see cause and have reason to believe that the party applying for such certificate is not upon the said Roll of Attornies or Solicitors,) deliver to the said Attorney or Solicitor, or to his Agent, on demand, a certificate in the form set forth in the Third Schedule to this Act annexed, and which last-mentioned certificate shall be delivered to and left with the Commissioners of Stamps and Taxes as hereinbefore directed.

24. *On Registrar's refusal, application to be made to Court.* — And be it enacted, That in case the said Registrar shall decline to issue such certificate as he is hereinbefore directed and required to give, the party so applying for the same, if an Attorney, shall and may apply to any of the said Courts of Law at Westminster, or to any Judge thereof, or, if a Solicitor, to the Master of the Rolls, who are hereby respectively authorized to make such order in the matter as shall be just, and to order payment of costs by and to either of the parties they shall see fit.

25. *In case of Neglect to obtain a stamped Certificate, Application to be made to the Court or Judge.* — And be it

enacted, That if any Attorney or Solicitor shall neglect to procure an annual stamped certificate authorizing him to practise as such within the time by law appointed for that purpose, then and in such case the said Registrar shall not afterwards grant a certificate to such Attorney or Solicitor without the order of the Master of the Rolls in the case of a Solicitor, or of one of the courts of Queen's Bench, Common Pleas, or Exchequer, or of one of the Judges thereof, in the case of an Attorney, authorizing such Registrar to issue such certificate; and it shall be lawful for the Master of the Rolls, or for such Court or Judge, to make such order upon such terms and conditions as he or they shall think fit.

26. *Persons practising without Certificate incapable of recovering Fees.*— And be it enacted, That no person who as an Attorney or Solicitor shall sue, prosecute, defend or carry on any action or suit or any proceedings in any of the Courts aforesaid, without having previously obtained a stamped certificate which shall be then in force, shall be capable of maintaining any action or suit at law or in equity for the recovery of any fee, reward or disbursement for or in respect of any business, matter or thing done by him as an Attorney or Solicitor as aforesaid whilst he shall have been without such certificate as last aforesaid.

27. *Persons duly admitted in one Court capable of practising in all other Courts on signing the other Rolls. Persons duly admitted in Chancery capable of practising in Bankruptcy and in all inferior Courts of Equity.*— And be it enacted, That every person who shall have been duly admitted an Attorney of any one of the Superior Courts of Law at Westminster shall be entitled, upon the production of his admission therein, or an Official Certificate thereof, and that the same still continues in force, to be admitted as an Attorney in any other of the said Courts, or in any Inferior Court of Law in England and Wales, upon signing the Roll of such other Court, but not otherwise, and shall thereupon be entitled to practise as an Attorney therein in like manner as if he had been sworn in and admitted an attorney of such Court; Provided always, That no additional fee, besides those payable by virtue of this Act, shall be demanded or paid; and that every person who shall have been duly admitted a Solicitor of the High Court of Chancery shall be entitled, upon the production of his admission therein or an Official Certificate thereof, and that the same still continues in force, to be admitted as a Solicitor in any Inferior Court of Equity in England and Wales, and in the Court of Bankruptcy, upon signing the Roll of such other Court, but not otherwise, and shall thereupon be entitled to practise as a Solicitor therein in like

manner as if he had been sworn in and admitted a Solicitor of such Court; Provided also, That no additional fees besides those payable by virtue of this Act shall be demanded or paid.

28. *Defects in the Service, &c., of Attornies not to disqualify persons who have served them.* — And be it enacted, That no person who shall have duly served his clerkship under articles in writing, pursuant to the provisions of this Act, shall be prevented or disqualified from being admitted and enrolled as an Attorney or Solicitor, nor be liable to be struck off the Roll if admitted, by reason or in consequence of the Attorney or Solicitor to whom he may have been bound by such articles having been after such service struck off the Roll; provided, that such Clerk or person be otherwise entitled to be admitted and enrolled, according to the provisions hereinbefore contained.

29. *Applications for striking Attornies off the Roll for defect in Articles, &c., to be made within Twelve Months of Admission.* — And be it enacted, That no person who has been admitted and enrolled shall be liable to be struck off the Roll for or on account of any defect in the articles of clerkship, or in the registry thereof, or in his service under such articles, or in his admission and enrolment, unless the application for striking him off the Roll be made within Twelve Months from the time of his admission and enrolment; provided, that such articles, registration, service, admission or enrolment, be without fraud.

30. *Fee for registering Articles and Examination and Admission, and for Entry and Certificates. Increase or Diminution of Fees. Appropriation of Fees.* — And be it enacted, That, until the same shall be varied or altered pursuant to the provision hereinafter contained, the several sums of money mentioned in the Second Schedule to this Act annexed, shall and may be taken and received for the services and purposes mentioned and specified therein: Provided always, That it shall be lawful to and for the Lord Chief Justice of Her Majesty's Court of Queen's Bench, the Master of the Rolls, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, (or any Three of them, of whom the Master of the Rolls shall be one,) from time to time to diminish or increase the said sums or any of them, as they shall see fit, so that by such diminution they be not reduced to less than one half, or by such increase be not made to exceed by more than one half the amount mentioned in the said Schedule; Provided also, That it shall be lawful for the Lord Chief Justices and the Lord Chief Baron to make any order or orders for the payment

and appropriation of the same sums, so far as they concern the said Courts of Common Law, to such persons and in such manner as they shall think proper; and that it shall be lawful for the Master of the Rolls to make any order or orders for the payment and appropriation of the same sums, so far as they concern the said High Court of Chancery, to such persons and in such manner as he shall think fit; and no greater or other fees, rewards, or sums than hereinbefore mentioned or referred to shall be taken or received on any pretence whatsoever.

31. *Attornies not to commence or defend suits, if Prisoners.*—And be it enacted, That no Attorney or Solicitor who shall be a prisoner in any gaol or prison, or within the limits, rules, or liberties of any gaol or prison, shall or may, during his confinement in any gaol or prison, or within the limits, rules, or liberties of any gaol or prison, as an Attorney or Solicitor, in his own name or in the name of any other Attorney or Solicitor, sue out any writ or process, or commence or prosecute or defend any action or suit, in any Courts of Law or Equity, or matter in Bankruptcy; and such Attorney or Solicitor so commencing, prosecuting, or defending any action or suit as aforesaid, and any Attorney or Solicitor permitting or empowering any such Attorney or Solicitor as aforesaid to commence, prosecute, or defend any action or suit in his name, shall be deemed to be guilty of a Contempt of the Court in which any such action or suit shall have been commenced or prosecuted, and punishable by the said Courts accordingly, upon the application of any person complaining thereof; and such Attorney or Solicitor so commencing, prosecuting, or defending any action or suit as aforesaid shall be incapable of maintaining any action or suit at law or in equity for the recovery of any fee, reward, or disbursement for or in respect of any business, matter, or thing done by him whilst such prisoner as aforesaid, in his own name or in the name of any other Attorney or Solicitor.

32. *Attornies not to act as Agents for persons not qualified, &c.*—And be it enacted, That if any Attorney or Solicitor shall wilfully and knowingly act as Agent in any action or suit in any Court of Law or Equity, or matter in Bankruptcy, for any person not duly qualified to act as an Attorney or Solicitor as aforesaid, or permit or suffer his name to be anyways made use of in any such action, suit, or matter upon the account or for the profit of any unqualified person, or send any process to such unqualified person, or do any other act thereby to enable such unqualified person to appear, act, or practise in any respect as an Attorney or Solicitor in any suit at law or in equity, knowing such person not to be duly qualified as aforesaid, and complaint shall be made thereof in

a summary way to any of the said Superior Courts wherein such Attorney or Solicitor has been admitted, and proof made thereof upon oath to the satisfaction of the Court that such Attorney or Solicitor hath wilfully and knowingly offended therein as aforesaid, then and in such case every such Attorney or Solicitor so offending shall and may be struck off the Roll, and for ever after disabled from practising as an Attorney or Solicitor; and in that case, and upon such complaint and proof made as aforesaid, it shall and may be lawful to and for the said Court to commit such unqualified person so acting or practising as aforesaid to the prison of the said Court, without bail or mainprize, for any term not exceeding One Year.

33. *No Attorney or Solicitor to be a Justice of the Peace.*—And be it enacted, That no Attorney or Solicitor shall be capable to continue or be a Justice of the Peace for any county within that part of Great Britain called England, or the Principality of Wales, during such time as he shall continue in the business and practice of an Attorney or Solicitor.

34. *Proviso for places having Justices by Charter.*—Provided always, and be it enacted, That the prohibition last hereinbefore contained shall not extend or be construed to extend to any city or town being a county of itself, or to any city, town, cinque port, or liberty having Justices of the Peace within their respective limits and precincts by charter, commission, or otherwise, but that in every such city, town, liberty, and place, Attornies or Solicitors may be capable of being Justices of the Peace, and in such manner only as they might have been if this Act had never been made, any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

35. *Prohibiting persons not enrolled from suing out Writs, &c.*—And be it enacted, That from and after the passing of this Act, in case any person shall in his own name or in the name of any other person sue out any writ or process, or commence, prosecute, or defend any action or suit or any proceedings in any Court of Law or Equity without being admitted and enrolled as aforesaid, or being himself the plaintiff or defendant in such proceedings respectively, every such person shall and is hereby made incapable to maintain or prosecute any action or suit in any Court of Law or Equity, for any fee, reward, or disbursements on account of prosecuting, carrying on or defending any such action, suit, or proceeding or otherwise in relation thereto; and such offence shall be deemed a Contempt of the Court in which such action, suit, or proceeding shall have been prosecuted, carried on, or defended, and shall and may be punished accordingly.

36. *Prohibiting persons unqualified from acting in the County Courts.*—And be it enacted, That in case any person shall commence or defend any action, or sue out any writ, process or summons, or carry on any proceedings in the Court commonly called the County Court, holden in any county in that part of Great Britain called England and Wales, who is not or shall not then be legally admitted an Attorney or Solicitor according to this Act, or shall not himself be plaintiff or defendant in such proceeding respectively, such person shall and is hereby made incapable to maintain or prosecute any action or suit in any Court of Law or Equity for any fee, reward or disbursement on account of prosecuting, carrying on, or defending any such action, suit or proceeding, or otherwise in relation thereto; and such offence shall be deemed a Contempt of the Court in which such action, suit or proceeding shall have been prosecuted, carried on, or defended, and shall and may be punished accordingly.

37. *Attornies and Solicitors not to commence an Action for Fees till One Month after delivery of their Bills. Reference of Bills, whether relating to business transacted in Court or not, for Taxation. Taxation after One Month. Taxation after Twelve Months, under special circumstances. Payment of Costs of Taxation. Courts may order Attorney or Solicitor to deliver his Bill, and to deliver up Deeds, &c. Evidence of delivery of Bill. Power to Judge to authorize Action before expiration of Month.*—And be it enacted, That from and after the passing of this Act, no Attorney or Solicitor, nor any executor, administrator, or assignee of any Attorney or Solicitor, shall commence or maintain any action or suit for the recovery of any fees, charges or disbursements, for any business done by such Attorney or Solicitor, until the expiration of One Month after such Attorney or Solicitor, or executor, administrator, or assignee of such Attorney or Solicitor, shall have delivered unto the party to be charged therewith, or sent by the post to or left for him at his counting-house, office of business, dwelling-house, or last known place of abode, a bill of such fees, charges, and disbursements, and which bill shall either be subscribed with the proper hand of such Attorney or Solicitor, (or, in the case of a partnership, by any of the partners, either with his own name, or with the name or style of such partnership), or of the executor, administrator, or assignee of such Attorney or Solicitor, or be enclosed in or accompanied by a letter subscribed in like manner referring to such bill; and upon the application of the party chargeable by such bill within such month, it shall be lawful, in case the business contained in such bill, or any part thereof, shall have been transacted in

the High Court of Chancery, or in any other Court of Equity, or in any matter of Bankruptcy or Lunacy, or in case no part of such business shall have been transacted in any Court of Law or Equity, for the Lord High Chancellor or the Master of the Rolls, and in case any part of such business shall have been transacted in any other Court for the Courts of Queen's Bench, Common Pleas, Exchequer, Court of Common Pleas at Lancaster, or Court of Pleas at Durham, or any Judge of either of them, and they are hereby respectively required, to refer such bill, and the demand of such Attorney or Solicitor, executor, administrator or assignee, thereupon to be taxed and settled by the proper Officer of the Court in which such reference shall be made, without any money being brought into Court; and the Court or Judge making such reference shall restrain such Attorney or Solicitor, or executor, administrator or assignee of such Attorney or Solicitor, from commencing any action or suit touching such demand pending such reference; and in case no such application as aforesaid shall be made within such month as aforesaid, then it shall be lawful for such reference to be made as aforesaid, either upon the application of the Attorney or Solicitor, or the executor, administrator, or assignee of the Attorney or Solicitor, whose bill may have been so as aforesaid delivered, sent or left, or upon the application of the party chargeable by such bill, with such directions and subject to such conditions as the Court or Judge making such reference shall think proper; and such Court or Judge may restrain such Attorney or Solicitor, or the executor, administrator or assignee of such Attorney or Solicitor, from commencing or prosecuting any action or suit touching such demand pending such reference, upon such terms as shall be thought proper: Provided always, That no such reference as aforesaid shall be directed upon an application made by the party chargeable with such bill, after a verdict shall have been obtained, or a writ of inquiry executed, in any action for the recovery of the demand of such Attorney or Solicitor, or executor, administrator or assignee of such Attorney or Solicitor, or after the expiration of Twelve Months after such bill shall have been delivered, sent or left as aforesaid, except under special circumstances, to be proved to the satisfaction of the Court or Judge to whom the application for such reference shall be made; and upon every such reference, if either the Attorney or Solicitor, or executor, administrator or assignee of the Attorney or Solicitor, whose bill shall have been delivered, sent or left, or the party chargeable with such bill having due notice, shall refuse or neglect to attend such taxation, the Officer to whom such reference shall be made may proceed to tax and settle such

bill and demand *ex parte*; and in case any such reference as aforesaid shall be made upon the application of the party chargeable with such bill, or upon the application of such Attorney or Solicitor, or the executor, administrator or assignee of such Attorney or Solicitor, and the party chargeable with such bill shall attend upon such taxation, the costs of such reference shall (except as hereinafter provided for) be paid according to the event of such taxation; (that is to say,) if such bill when taxed be less by a Sixth Part than the bill delivered, sent or left, then such Attorney or Solicitor, or executor, administrator or assignee of such Attorney or Solicitor, shall pay such costs, and if such bill when taxed shall not be less by a Sixth Part than the bill delivered, sent or left, then the party chargeable with such bill making such application or so attending shall pay such costs; and every order to be made for such reference as aforesaid shall direct the officer to whom such reference shall be made to tax such costs of such reference to be so paid as aforesaid, and to certify what upon such reference shall be found to be due to or from such Attorney or Solicitor, or executor, administrator or assignee of such Attorney or Solicitor, in respect of such bill and demand, and of the costs of such reference, if payable: Provided also, That such Officer shall in all cases be at liberty to certify specially any circumstance relating to such bill or taxation, and the Court or Judge shall be at liberty to make thereupon any such order as such Court or Judge may think right respecting the payment of the costs of such taxation: Provided also, That where such reference as aforesaid shall be made when the same is not authorized to be made except under special circumstances, as hereinbefore provided, then the said Court or Judge shall be at liberty, if it shall be thought fit, to give any special directions relative to the costs of such reference: Provided also, That it shall be lawful for the said respective Courts and Judges, in the same cases in which they are respectively authorized to refer a bill which has been so as aforesaid delivered, sent or left, to make such order for the delivery by any Attorney or Solicitor, or the executor, administrator or assignee of any Attorney or Solicitor, of such bill as aforesaid, and for the delivery up of deeds, documents, or papers in his possession, custody or power, or otherwise touching the same, in the same manner as has heretofore been done as regards such Attorney or Solicitor, by such Courts or Judges respectively, where any such business had been transacted in the Court in which such order was made: Provided also, That it shall not in any case be necessary in the first instance for such Attorney or Solicitor, or the executor, administrator or assignee of such Attorney or Solicitor, in proving

a compliance with this Act, to prove the contents of the bill he may have delivered, sent or left, but it shall be sufficient to prove that a bill of fees, charges, or disbursements, subscribed in the manner aforesaid, or inclosed in or accompanied by such letter as aforesaid, was delivered, sent or left in manner aforesaid; but nevertheless it shall be competent for the other party to show that the bill so delivered, sent or left, was not such a bill as constituted a *bonâ fide* compliance with this Act: Provided also, That it shall be lawful for any Judge of the Superior Courts of Law or Equity to authorize an Attorney or Solicitor to commence an action or suit for the recovery of his fees, charges, or disbursements against the party chargeable therewith, although one month shall not have expired from the delivery of a bill as aforesaid, on proof to the satisfaction of the said Judge that there is probable cause for believing that such party is about to quit England.

38. *Bills may be taxed upon the application of third parties.*

And be it enacted, That where any person, not the party chargeable with any such bill within the meaning of the provisions hereinbefore contained, shall be liable to pay or shall have paid such bill either to the Attorney or Solicitor, his executor, administrator or assignee, or to the party chargeable with such bill as aforesaid, it shall be lawful for such person, his executor, administrator or assignee, to make such application for a reference for the taxation and settlement of such bill as the party chargeable therewith might himself make; and the same reference and order shall be made thereupon, and the same course pursued in all respects, as if such application was made by the party so chargeable with such bill as aforesaid: Provided always, That in case such application is made when, under the provisions herein contained, a reference is not authorized to be made except under special circumstances, it shall be lawful for the Court or Judge to whom such application shall be made to take into consideration any additional special circumstances applicable to the person making such application, although such circumstances might not be applicable to the party so chargeable with the said bill as aforesaid, if he was the party making the application.

39. *Lord Chancellor may direct Taxation of Bills chargeable on Executors, &c.* And be it enacted, That it shall be lawful in any case in which a trustee, executor or administrator has become chargeable with any such bill as aforesaid, for the Lord High Chancellor, or the Master of the Rolls, if in his discretion he shall think fit, upon the application of a party interested in the property out of which such trustee, executor or administrator may have paid or be entitled to pay

such bill, to refer the same, and such Attorney's or Solicitor's or executor's, administrator's or assignee's demand thereupon, to be taxed and settled by the proper Officer of the High Court of Chancery, with such directions and subject to such conditions as such Judge shall think fit, and to make such order as such Judge shall think fit for the payment of what may be found due, and of the costs of such reference, to or by such Attorney or Solicitor, or the executor, administrator or assignee of such Attorney or Solicitor, by or to the party making such application, having regard to the provisions herein contained relative to applications for the like purpose by the party chargeable with such bill, so far as the same shall be applicable to such cases; and in exercising such discretion as aforesaid, the said Judge may take into consideration the extent and nature of the interest of the party making the application: Provided always, That where any money shall be so directed to be paid by such Attorney or Solicitor, or the executor, administrator or assignee of such Attorney or Solicitor, it shall be lawful for such Judge, if he shall think fit, to order the same or any part thereof to be paid to such trustee, executor, or administrator so chargeable with such bill, instead of being paid to the party making such application; and when the party making such application shall pay any money to such Attorney or Solicitor, or executor, administrator or assignee of such Attorney or Solicitor, in respect of such bill, he shall have the same right to be paid by such trustee, executor or administrator so chargeable with such bill as such Attorney or Solicitor, or executor, administrator or assignee of such Attorney or Solicitor, had.

40. *Copy of Bill to be delivered to person making Application for Reference for Taxation. No Retaxation.*— And be it enacted, That for the purpose of any such reference, upon the application of a person not being the party chargeable within the meaning of the provisions of this Act as aforesaid, or of a party interested as aforesaid, it shall be lawful for such Court or Judge to order any such Attorney or Solicitor, or the executor, administrator, or assignee of any such Attorney or Solicitor, to deliver to the party making such application a copy of such bill, upon payment of the costs of such copy: Provided always, That no bill which shall have been previously taxed and settled shall be again referred, unless, under special circumstances, the Court or Judge to whom such application is made shall think fit to direct a re-taxation thereof.

41. *Taxation of Bill after payment.*— And be it enacted, That the payment of any such bill as aforesaid shall in no case preclude the Court or Judge, to whom application shall be made, from referring such bill for taxation, if the

special circumstances of the case shall in the opinion of such Court or Judge appear to require the same, upon such terms and conditions and subject to such directions as to such Court or Judge shall seem right, provided the application for such reference be made within Twelve Calendar Months after payment.

42. *Power for Taxing Officer to request Officers of other Courts to tax portions of the Bill.*—And be it enacted, That in all cases in which such bill shall have been referred to be taxed and settled, the Officer to whom such reference is made shall be at liberty to request the proper Officer of any other Court having such an Officer to assist him in taxing and settling any part of such bill, and such Officer so requested shall thereupon proceed to tax and settle the same, and shall have the same powers, and may receive the same fees in respect thereof, as upon a reference to him by the Court of which he is such Officer, and shall return the same with his opinion thereon to the Officer who shall have so requested him to tax and settle the same; and the Officer to whom such reference is made shall not be paid any fee for that portion of the bill which shall have been so taxed and settled by the Officer of such other Court at his request.

43. *Applications for taxing Bill of Costs, how to be made. Certificate of Taxation to be final. Judgment may be entered.*—And be it enacted, That all applications made under this Act, to refer any such bill as aforesaid to be taxed and settled, and for the delivery of such bill, and for the delivering up of deeds, documents and papers, shall be made in the matter of such Attorney or Solicitor; and that upon the taxation and settlement of any such bill, the certificate of the Officer by whom such bill shall be taxed shall (unless set aside or altered by order, decree or rule of Court) be final and conclusive as to the amount thereof; and payment of the amount certified to be due and directed to be paid may be enforced according to the course of the Court in which such reference shall be made; and in case such reference shall be made in any Court of Common Law, it shall be lawful for such Court or any Judge thereof, to order judgment to be entered up for such amount, with costs, unless the retainer shall be disputed, or to make such other order thereon as such Court or Judge shall deem proper.

44. *Persons whose period of service has expired before commencement of this Act, but not admitted, may, if qualified, be admitted under it.*—And be it enacted, That every person who at the time of the passing of this Act shall have completed his period of service according to the laws in force at the time of the passing of this Act, but shall not have

been admitted an Attorney or Solicitor in pursuance of such service, shall, if otherwise qualified, be capable of being admitted and enrolled an Attorney or Solicitor, in pursuance of the provisions of this Act, in the same manner in all respects as if he was actually bound by contract in writing at the time of the passing of this Act.

45. *Attornies, &c. of Duchy Chamber of Lancaster at Westminster, &c., to be enrolled as Attornies of Chancery, &c. without examination, on payment of duty. Until Attornies of Lancaster and Durham are admitted in Superior Courts, Attornies may act as their Agents.*—And be it enacted, That all persons who, previously to the First day of January One thousand eight hundred and forty-three, shall have been duly admitted and enrolled Attornies or Solicitors of any of the Courts of Law or Equity at Westminster, or of the Courts of the Duchy Chamber of Lancaster at Westminster, or of the Courts of the Counties Palatine of Lancaster and Durham, or either of them, shall and may be admitted and enrolled Attornies and Solicitors in the said High Court of Chancery, or all or any of the said Courts of Queen's Bench, Common Pleas, or Exchequer at Westminster, in pursuance of the provisions of this Act, without examination, upon payment of such duty as by law required: Provided always, That upon such admission being duly perfected, such persons shall be considered to have been Attornies and Solicitors of such Court in which they shall be so admitted, from the date of their first admission into any other of the said Courts: Provided that such admission be perfected on or before the First Day of Michaelmas Term One thousand eight hundred and forty-four: Provided also, That until such Attornies and Solicitors of the said Courts of the Duchy Chamber of Lancaster at Westminster, or of the said Courts of the Counties Palatine of Lancaster and Durham, or either of them, shall be admitted and enrolled in the said High Court of Chancery, or in all or any of the said Courts of Queen's Bench, Common Pleas or Exchequer at Westminster, it shall be lawful for any Attornies or Solicitors to act as their Agents in any action, suit, or other proceeding in the said Courts of the Duchy Chamber of Lancaster at Westminster, or of the Counties Palatine of Lancaster and Durham.

46. *To what Clerks the Act not to extend.*—Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to the examination, swearing, admission or enrolment of the Clerks of the Petty Bag Office, or of the Clerks of the Queen's Coroner and Attorney in the Court of Queen's Bench for the time being, but that the said Clerks respectively shall and may be examined, sworn, admitted and practise in their respective Courts and offices in like

manner as they might have been or done before the making of this Act.

47. *To what Solicitors the Act is not to extend.*—Provided always, and be it enacted, That this Act or any thing herein contained shall not extend or be construed to extend to the examination, swearing, admission, or enrolment, or any rights or privileges of any persons appointed to be Solicitors of the Treasury, Customs, Excise, Post Office, Stamp Duties, or any other Branch of Her Majesty's Revenue, or to the Solicitor of the City of London, or to the Assistant of the Council for the Affairs of the Admiralty, or Navy, or to the Solicitor to the Board of Ordnance.

48. *Meaning of certain words in this Act.*—And be it enacted, That in the construction of this Act the word "Month" shall be taken to mean a Calendar Month; and every word importing the singular number only shall extend and be applied to several persons, matters and things, as well as one person, matter or thing; and every word importing the plural number shall extend and be applied to one person, matter or thing, as well as several persons, matters or things; and every word importing the masculine gender only shall extend and be applied to a female as well as a male; and the word "Person" shall extend to any body politic, corporate or collegiate, municipal, civil or ecclesiastical, aggregate or sole, as well as an individual; unless in any of the cases aforesaid it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

49. *Act may be altered this Session.*—And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULES

TO WHICH THE FOREGOING ACT REFERS.

FIRST SCHEDULE.

FIRST PART, CONTAINING A DESCRIPTION OF THE ACTS AND PARTS OF ACTS REPEALED BY THIS ACT.

Date of Act.	TITLE.	Extent of Repeal.
15 Edw. II. c. 1.	-- An Act concerning the Acknowledgment of Fines, and admitting Attornies.	-- So much as relates to regulating the Admission of Attornies.
4 Hen. IV. c. 18.	An Act for regulating Attornies -	The whole.
4 Hen. IV. c. 19.	-- An Act for providing that no Officer of a Lord of a Franchise shall be Attorney within the same.	The whole.
1 Hen. V. c. 4.	An Act as to Sheriffs, Bailiffs, &c. -	-- So much as provides that no Under-Sheriff shall be Attorney in the King's Courts, during the time he is in office.
18 Hen. VI. c. 9.	-- An Act touching filing Warrants of Attorney.	The whole.
33 Hen. VI. c. 7.	-- An Act for regulating the Number of Attornies in Norfolk, Suffolk, and Norwich.	The whole.
32 Hen. VIII. c. 30.	-- An Act concerning mispleading Jeofails and Attorney.	-- So much as relates to entering Warrants of Attorney.
18 Eliz. c. 14. s. 3.	An Act for Reformation of Jeofails -	-- So much as relates to filing Warrants of Attorney.
3 James I. c. 7.	-- An Act to reform the Multitudes and Misdemeanors of Attornies and Solicitors at Law, and to avoid unnecessary Suits and Charges in Law.	The whole.
4 & 5 Anne c. 16.	-- An Act for the Amendment of the Law, and the better Advancement of Justice.	-- So much as relates to the filing Warrants of Attorney.
2 Geo. II. c. 23.	-- An Act for the better Regulation of Attornies and Solicitors.	The whole.
5 Geo. II. c. 18.	-- An Act for the further Qualification of Justices of the Peace.	-- So much as excludes Attornies and Solicitors from acting as Justices of the Peace.

Date of Act.	TITLE.	Extent of Repeal.
6 Geo. II. c. 27.	-- An Act to explain and amend an Act made in the Second Year of his present Majesty's Reign, intituled, "An Act for the better Regulation of Attornies and Solicitors."	The whole.
12 Geo. II. c. 13.	-- An Act for continuing an Act made in the Eighth Year of her late Majesty Queen ANNE, to regulate the Price and Assize of Bread; and for continuing, explaining, and amending the Act made in the Second Year of the Reign of his present Majesty, for the better Regulation of Attornies and Solicitors.	-- So much as relates to Attornies and Solicitors.
22 Geo. II. c. 46.	-- An Act to continue several Laws for preventing Exactions of the Occupiers of Locks and Weirs upon the River Thames westward, and for ascertaining the Rates of Water Carriage upon the said River; and for continuing, explaining and amending the several Laws for the better Regulation of Attornies and Solicitors, and for the regulating the Price and Assize of Bread, and for preventing the spreading of the Distemper amongst horned Cattle; and also for making further Regulations with respect to Attornies and Solicitors, and further preventing the spreading of the Distemper amongst horned Cattle, and for the more frequent Return of Writs in the Counties Palatine of Chester and Lancaster; and for ascertaining the Method of levying Writs of Execution against the Inhabitants of Hundreds; and for allowing Quakers to make Affirmation where an Oath is or shall be required.	-- So much as relates to Attornies and Solicitors.
23 Geo. II. c. 26.	-- An Act to continue several Laws for the better Regulation of Pilots, for the conducting of Ships and Vessels from Dover, Deal, and Isle of Thanet, up the River Thames and Medway; and for permitting Rum and Spirits of the British Sugar Plantations to be landed before the Duties of Excise are paid thereon; and to continue and amend an Act for the preventing Frauds in the Admeasurement of Coals in the City and Liberty of Westminster, and several Parishes near thereunto; and to continue several Laws for preventing Exactions of Occupiers of Locks and Weirs upon the River Thames westward, and for ascertaining the Rates of Water Carriage upon the said River; and for the better regu-	-- So much as relates to Attornies and Solicitors.

Date of Act.	TITLE.	Extent of Repeal.
<p>30 Geo. III. c. 19.</p>	<p>lating and Government of Seamen in the Merchant Service; and also to amend so much of an Act made in the First Year of the Reign of King GEORGE the First as relates to the better Preservation of Salmon in the River Ribble; and to regulate Fees in Trials at Assizes in Nisi Prius upon Records issuing out of the Office of Pleas of the Court of Exchequer; and for the apprehending of Persons in any County or Place upon Warrants granted by Justices of the Peace in any other County or Place; and to repeal so much of an Act made in the Twelfth Year of the Reign of King CHARLES the Second as relates to the Time during which the Office of the Excise is to be kept open each Day, and to appoint for how long Time the same shall be kept open upon each Day for the future; and to prevent the stealing and destroying of Turnips; and to amend an Act made in the Second Year of his present Majesty, for the better Regulation of Attornies and Solicitors.</p> <p>- - An Act for granting to his Majesty several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon Newspapers, Advertisements and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying, from a certain time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of Three Millions by Annuities, to be charged on the said Rates, Duties and Sums of Money; and for making perpetual an Act made in the Second Year of the Reign of his present Majesty, intituled, "An Act for the better Regulation of Attornies and Solicitors;" and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors, and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.</p> <p>37 Geo. III. c. 90.</p> <p>- - An Act for granting to his Majesty certain Stamp Duties on the several Matters therein mentioned, and for better securing the Duties on</p>	<p>- - So much as enacts that the said Act made in the second year of his said Majesty's reign, intituled "An Act for the better Regulation of Attornies and Solicitors," should be continued and made perpetual.</p> <p>- - So much as renders every person admitted an Attorney or Solicitor</p>

Date of Act.	TITLE.	Extent of Repeal.
	Certificates to be taken out by Solicitors, Attornies, and others.	in any of the Courts therein mentioned or referred to, who shall neglect for One whole Year to obtain such Certificate as therein mentioned, incapable of practising, and directs that the admission of such person in any of the Courts shall be null and void; and so much as enacts that every Certificate to be obtained under the same Act shall be entered in One of the Courts in which the person described therein shall be admitted, enrolled, sworn or registered.
1 & 2 Geo. IV. c. 48.	-- An Act to amend the several Acts for the Regulation of Attornies and Solicitors.	-- The whole, except so far as the Attornies and Solicitors of Ireland are affected thereby.
3 Geo. IV. c. 16.	-- An Act to amend an Act made in the last Session of Parliament for amending the several Acts for the Regulation of Attornies and Solicitors.	-- The whole, except so far as the Attornies and Solicitors of Ireland are affected thereby.
1 & 2 Will. IV. c. 56.	An Act to establish a Court of Bankruptcy.	-- So much as relates to the admission and practising of Attornies and Solicitors in the said Courts.
5 & 6 Will. IV. c. 11.	-- An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively, until the Twenty-fifth day of March One thousand eight hundred and thirty-six; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indenture of Clerks to Attornies and Solicitors to make and file the same on or before the First day of Hilary Term One thousand eight hundred and thirty-six; and to allow Persons to make and file such Affidavits, although the persons whom they served	-- So much as relates to the service of any Clerk and his admission and enrolment as an Attorney or Solicitor, or as to striking any person off the Roll.

Date of Act.	TITLE.	Extent of Repeal.
6 & 7 Will. IV. c. 7.	shall have neglected to take out their annual Certificates. -- An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth day of March, One thousand eight hundred and thirty-seven; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First day of Hilary Term, One thousand eight hundred and thirty-seven; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their annual Certificates.	-- So much as relates to striking any Attorney or Solicitor off the Roll.
1 Vict. c. 56.	-- An Act for amending the several Acts for the Regulation of Attornies and Solicitors.	The whole.
1 & 2 Vict. c. 45.	-- An Act to extend the Jurisdiction of the Superior Courts of Common Law; to amend Chapter Fifty-six of the First Year of Her present Majesty's Reign, for regulating the Admission of Attornies; and to provide for the taking of Special Bail in the Absence of the Judges.	-- So much as relates to the Admission and practising of Attornies and Solicitors.
7 Will. IV. c. 12.	An Act to indemnify, &c.	-- So much as relates to striking any Attorney or Solicitor off the Roll.
1 Vict. c. 16.	Ditto - - - - -	
2 & 3 Vict. c. 33.	Ditto - - - - -	
3 Vict. c. 16.	Ditto - - - - -	
4 Vict. c. 11.	Ditto - - - - -	
5 Vict. Sess. 2. c. 10.	Ditto - - - - -	
6 Vict. c. 9.	Ditto - - - - -	

SECOND PART,

CONTAINING A DESCRIPTION OF THE ACTS AND PARTS OF ACTS NOT REPEALED BY THIS ACT.

Date of Act.	TITLE.	Extent of Saving.
20 Hen. III. c. 10.	- An Act for allowing Attornies to make Suits to several Courts.	The whole.
3 Edw. I. c. 25.	An Act against Champerty.	The whole.
3 Edw. I. c. 29.	-- An Act inflicting Penalty upon a Sergeant or Pleader committing Deceit.	The whole.
3 Edw. I. c. 33.	-- An Act against Maintainers of Quarrels being suffered.	The whole.

Date of Act.	TITLE.	Extent of Saving.
3 Edw. I. c. 42.	-- An Act; viz. certain Actions wherein after Appearance the Tenant shall not be essoined, but may make his Attorney.	The whole.
6 Edw. I. c. 8. -	-- An Act, amongst other Things, that Attornies may be made where an Appeal lieth not.	The whole.
13 Edw. I. c. 10.	-- An Act authorizing Persons to make General Attornies in all Pleas for or against them.	The whole.
13 Edw. I. c. 49.	-- An Act inflicting Penalty for buying the Title of Land depending in Suit, and a Remedy for Suits where the law fails.	The whole.
28 Edw. I. c. 11.	-- An Act that nothing shall be taken to maintain any Action in Suit.	The whole.
12 Edw. II. c. 1.	-- An Act that Tenants in Assize of Novel Disseisin may make Attornies.	The whole.
15 Edw. II. c. 1.	-- An Act concerning the Acknowledgment of Fines and admitting Attornies.	-- So much as does not relate to Attornies.
7 Rich. II. c. 14.	-- An Act that they which shall depart the Realm by the King's Licence may make General Attornies.	The whole.
7 Hen. IV. c. 13.	-- An Act that impotent Persons that be outlawed may make Attornies.	The whole.
1 Hen. V. c. 4. -	-- An Act that Sheriff's Bailiffs shall not be in the same Office in Three Years after; Sheriffs' Officers shall not be Attornies.	-- So much as does not relate to Attornies.
15 Hen. VI. c. 7.	-- An Act that all Persons, religious and secular, may make their General Attornies to sue or plead for them in every Hundred and Wapentake.	The whole.
3 Hen. VII. c. 1.	-- An Act as to the Authority of the Court of Star Chamber where one Inquest shall inquire of the Concealment of another; a Coroner's Duty after a murder committed; a Justice of Peace shall certify his Recognizances.	The whole.
18 Eliz. c. 5. -	-- An Act to redress Disorders in Common Informers.	The whole.
18 Eliz. c. 14. -	An Act for Reformation of Jeofails.	-- The whole, except so much as relates to Attornies filing Warrants of Attorney.
29 Eliz. c. 5. -	-- An Act for the Continuance and perfecting of divers Statutes.	The whole.
31 Eliz. c. 10. -	-- An Act for the Continuance of divers Statutes.	The whole.
4 & 5 Anne, c. 16.	-- An Act for the Amendment of the Law and the better Advancement of Justice.	-- The whole, except so much as relates to Attornies filing Warrants of Attorney.
12 Geo. I. c. 29.	-- An Act to prevent frivolous and vexatious Arrests.	The whole.

Date of Act.	TITLE.	Extent of Saving.
5 Geo. II. c. 18.	- - An Act for the farther Qualification of Justices of the Peace.	- - The whole, except so much as relates to incapacitating Attornies, Solicitors, & Proctors from being Justices of the Peace.
12 Geo. II. c. 13.	- - An Act for continuing an Act made in the Eighth Year of her late Majesty Queen Anne, to regulate the Price and Assize of Bread, and for continuing, explaining, and amending the Act made in the Second Year of the Reign of his present Majesty for the better Regulation of Attornies and Solicitors.	- - The whole, except so much as relates to Attornies and Solicitors.
22 Geo. II. c. 46.	- - An Act to continue several Laws for preventing Exactions of the Occupiers of Lochs and Weirs upon the River Thames westward, &c., and for amending the several Laws for the better Regulation of Attornies and Solicitors, and for the regulating the Price and Assize of Bread, and for preventing the spreading of the Distemper amongst horned Cattle, &c.	- - The whole, except so much as relates to Attornies and Solicitors.
23 Geo. II. c. 26.	- - An Act to continue several Laws for the better Regulation of Pilots, &c., and for permitting Rum and Spirits of the British Sugar Plantations to be landed before the Duties of Excise are paid thereon, and to continue and amend an Act for the preventing Frauds in the Admeasurement of Coals, &c., and to continue several Laws for preventing Exactions of Occupiers of Lochs and Weirs, &c., and to regulate Fees in Trials and Assizes in Nisi Prius, upon Records issuing out of the Office of Pleas of the Court of Exchequer, &c., and to amend an Act made in the Second Year of his present Majesty for the better Regulation of Attornies and Solicitors.	- - The whole, except so much as relates to Attornies and Solicitors.
19 Geo. III. c. 68.	- - An Act for explaining, amending, and rendering more effectual an Act passed in the Twenty-third Year of the Reign of his late Majesty King George the Second, for the more easy and speedy Recovery of Small Debts within the Tower Hamlets.	The whole.
23 Geo. III. c. 33.	- - An Act for preventing Delays and Expences in the County Court of Middlesex, and for the more easy and speedy Recovery of Small Debts in the said County Court.	The whole.

Date of Act.	TITLE.	Extent of Saving.
24 Geo. III. c. 42. (Local.)	- - An Act to explain and amend an Act passed in the last Session of Parliament, intituled, "An Act for the more easy and speedy Recovery of Small Debts within the City and Liberty of Westminster and that Part of the Duchy of Lancaster which joineth thereto," and for making the said Act more effectual.	The whole.
25 Geo. III. c. 80.	- - An Act for granting to his Majesty certain Duties on Certificates to be taken out by Solicitors, Attornies, and others practising in certain Courts of Justice in Great Britain, and certain other Duties with respect to Warrants, Mandates, and Authorities to be entered or filed of Record, as therein mentioned.	The whole.
30 Geo. III. c. 19.	- - An Act for granting to his Majesty several Rates and Duties upon Indentures, &c., and for making perpetual an Act made in the Second Year of the Reign of his present Majesty, intituled, "An Act for the better Regulation of Attornies and Solicitors, and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors, and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices."	- - The whole, except so much as enacts that the said Act made in the second year of his said Majesty's reign, intituled "An Act for the better Regulation of Attornies and Solicitors," should be continued and made perpetual.
34 Geo. III. c. 14.	- - An Act for granting to his Majesty certain Stamp Duties on Indentures of Clerkships to Solicitors and Attornies in any of the Courts in England therein mentioned.	The whole.
37 Geo. III. c. 90.	- - An Act for granting to his Majesty certain Stamp Duties.	- - The whole, except so much as renders every person admitted an Attorney or Solicitor in any of the Courts therein mentioned or referred to, who shall neglect for one whole year to obtain such Certificate, as therein mentioned, incapable of practising, and directs that the admission of such person in any of the Courts shall be null and void; and except so much as enacts that every Certificate to be

Date of Act.	TITLE.	Extent of Saving.
39 & 40 Geo. III. c. 104. (Local.)	- - An Act to explain, amend, and render more effectual an Act passed in the Third Year of the Reign of King JAMES the First, intituled, "An Act for the Recovering of Small Debts in London," and an Act passed in the Fourteenth Year of the Reign of his late Majesty King GEORGE the Second, to explain and amend the above-mentioned Act; and likewise for extending the Powers of the Court of Requests in the City of London, in and by the said Two several Acts continued and established.	obtained under the same Act shall be entered in one of the Courts in which the person described therein shall be admitted, enrolled, sworn, or registered. The whole.
44 Geo. III. c. 59.	- - An Act to indemnify Solicitors, Attornies, and others who have neglected to enter Certificates within the Time limited by an Act made in the Thirty-seventh Year of his present Majesty, and to amend so much of the said Act as relates to the entering such Certificates.	The whole.
44 Geo. III. c. 98.	- - An Act to repeal the several Duties under the Commissioners for managing the Duties upon stamped Vellum, Parchment, and Paper in Great Britain, and to grant new and additional Duties in lieu thereof.	The whole.
49 Geo. III. c. 28.	- - An Act to enable the Clerks of the King's Coroner and Attorney in the Court of King's Bench to be admitted as Attornies.	The whole.
52 Geo. III. c. 63.	- - An Act for more effectually preventing the Embezzlement of Securities for Money and other Effects left or deposited for safe Custody or other special Purpose in the Hands of Bankers, Merchants, Brokers, Attornies, or other Agents.	The whole.
54 Geo. III. c. 144.	- - An Act for better securing the Stamp Duties on Sea Insurances made in London, and for altering the Period for taking out Stamp Office Certificates by Attornies and others in England.	The whole.
55 Geo. III. c. 184.	- - An Act for repealing the Stamp Duty on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies and Successions	The whole.

Date of Act.	TITLE.	Extent of Saving.
	to Personal Estate upon Intestacies, now payable in Great Britain; and for granting other Duties in lieu thereof.	
1 & 2 Geo. IV. c. 48.	- - An Act to amend the several Acts for the Regulation of Attornies and Solicitors.	- - So far as the Attornies and Solicitors of Ireland are affected thereby.
3 Geo. IV. c. 16.	- - An Act to amend an Act made in the last Session of Parliament for amending the several Acts for the Regulation of Attornies and Solicitors.	
6 Geo. IV. c. 16.	- - An Act to amend the Laws relating to Bankrupts.	The whole.
7 & 8 Geo. IV. c. 29.	- - An Act for consolidating and amending the Laws in England relative to Larceny and other Offences connected therewith.	The whole.
9 Geo. IV. c. 25.	- - An Act to authorize the Appointment of Persons to act as Solicitors on behalf of his Majesty in any Court of Jurisdiction in Revenue Matters.	The whole.
11 Geo. IV. & 1 Will. IV. c. 70.	- - An Act for the more effectual Administration of Justice in England and Wales.	The whole.
1 & 2 Will. IV. c. 56.	- - An Act to establish a Court of Bankruptcy.	- - The whole, except so much as relates to the admission and practising of Attornies and Solicitors in the said Court.
5 & 6 Will. IV. c. 11.	- - An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth day of March, One thousand eight hundred and thirty-six: to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First day of Hilary Term, One thousand eight hundred and thirty-six; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their annual Certificates.	- - The whole, except so much as relates to the service of any Clerk, and his admission and enrolment as an Attorney or Solicitor, or as to striking any Attorney off the Roll.
6 & 7 Will. IV. c. 7.	The like.	- - The whole, except so much as relates to striking any Attorney or Solicitor off the Roll.
1 & 2 Vict. c. 45.	- - An Act to extend the Jurisdiction of the Superior Courts of Common	- - The whole, except so much as

Date of Act.	TITLE.	Extent of Saving.
3 & 4 Vict. c. 16.	Law; to amend Chapter Fifty-six of the First Year of Her present Majesty's Reign, for regulating the Admission of Attornies; and to provide for the taking of Special Bail in the Absence of the Judges. - - An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth day of March, One thousand eight hundred and forty-one; and for the Relief of Clerks to Attornies and Solicitors in certain Cases.	relates to the admission and practising of Attornies and Solicitors. - - The whole, except so much as relates to striking any Attorney or Solicitor off the Roll.
7 Will. IV. c. 12.	An Act to indemnify, &c.	- - The whole, except so much as relates to striking any Attorney or Solicitor off the Roll.
1 Vict. c. 16. -	Ditto - - - -	
2 & 3 Vict. c. 33. -	Ditto - - - -	
3 Vict. c. 16. -	Ditto - - - -	
4 Vict. c. 11. -	Ditto - - - -	
5 Vict. Sess. 2. c. 10.	Ditto - - - -	
6 Vict. c. 9. -	Ditto - - - -	

SECOND SCHEDULE.

Persons entitled to receive the Fees.	Duties to be performed.	Amount of Fees in each Case.
The Person appointed for that purpose under Sections 8. 11. 20.	On filing every Affidavit of Execution of Articles of Clerkship, entering Affidavit, and making the Indorsements required by the Act -	£ s. d. 0 5 0
The Incorporated Law Society.	On leaving Articles and Assignments for Inspection, and Inquiry as to due Service previous to Examination for Admission in the Courts at Westminster - - -	0 10 0
The Incorporated Law Society.	For the Examination and Certificate of Fitness and Capacity for Admission in the Courts at Westminster - - -	2 2 0
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THIRD SCHEDULE.

FORM OF REGISTRAR'S CERTIFICATE.

See Sect. 23. of this Act. Pursuant to an Act made and passed in the year of the reign of Queen Victoria, intituled, "An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales," I, A. B., Registrar of Attornies and Solicitors appointed under the said Act [or I, C. D. of the Society of Attornies, Solicitors, Proctors and others, not being Barristers practising in the Courts of Law and Equity of the United Kingdom, authorized to perform the duties of the Office of Registrar of Attornies and Solicitors under the said Act,] do hereby certify, That E. F. of hath this day delivered and left with me a declaration in writing, signed by the said E. F. [or by G. H., his Partner, or by I. K., his London Agent, on his behalf,] containing his name and place of residence, and the Court or one of the Courts of which he is admitted an Attorney or Solicitor, together with the term and year in or as of which he was so admitted: And I do further certify, That the said E. F. is duly enrolled as Attorney in the Court of and a Solicitor in the High Court of Chancery, and is entitled to take out a stamped Certificate authorizing him to practise as an Attorney and Solicitor. In witness whereof I have this day of in the year set my hand hereunto.

(signed)

To the Commissioners of Stamps
and Taxes.

A stamped Certificate was issued to the above-named
E. F., the day of in the year

(signed)

7 & 8 VICT. c. 86.

AN ACT

FOR THE

RELIEF OF CLERKS TO ATTORNIES AND SOLICITORS

WHO HAVE OMITTED TO ENROL THEIR CONTRACTS;

AND FOR

AMENDING THE LAW RELATING TO THE ENROLMENT OF
SUCH CONTRACTS,

AND TO

THE DISABILITIES OF SUCH CLERKS,

IN CERTAIN CASES.

9th August, 1844.

1. 34 Geo. 3 c. 14., 6 & 7 Vict. c. 73. *Indemnity to Clerks who have neglected to enrol their Contracts.*—Whereas by an Act passed in the Thirty-fourth Year of the Reign of His late Majesty King George the Third, intituled An Act for granting to His Majesty certain Stamp Duties on indentures of Clerkships to Solicitors and Attornies in any of the Courts in England therein mentioned, it is enacted, that no person who by any contract in writing made after the days in the said Act respectively mentioned shall become bound to serve as a Clerk in order to his admission as a Solicitor or an Attorney in any of the Courts therein mentioned shall be admitted to be a Solicitor or Attorney in any of the said Courts, unless the indenture or other writing containing such contract, duly stamped, shall be enrolled or registered with the proper Officer to be appointed for that purpose in the Court wherein such person shall propose to be afterwards admitted a Solicitor or Attorney by virtue of his service under such contract, together with an affidavit of the time of the execution of such contract by such Clerk; and in case such indenture or other writing

shall not be enrolled or registered in such Court within Six Months next after the execution thereof, together with such affidavit, that then and in such case the service of such Clerk under such indenture or writing shall be deemed to commence from the time of such enrolment or registry, and not from the execution of such indenture or writing: And whereas by an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales, it is enacted, That whenever any person shall after the passing of the said last-mentioned Act be bound by contract in writing to serve as a Clerk to any Attorney or Solicitor, as therein mentioned, such Attorney or Solicitor shall within Six Months after the date of every such contract make and swear, or cause to be made and sworn, an affidavit of such Attorney or Solicitor having been duly admitted, and also of the actual execution of every such Contract, and containing such particulars as are therein mentioned; and that every such affidavit shall be filed within Six Months next after the execution of the said contract with the Officer therein mentioned, who shall thereupon enrol and register the said contract, and shall make and sign a memorandum of the day of filing such affidavit upon such affidavit, and also upon such contract; and it is thereby provided, that in case such last-mentioned affidavit be not filed within such Six Months, the same may be filed after the expiration thereof, but that the service of such Clerk shall be reckoned to commence and be computed from the day of filing such affidavit, unless one of the Courts of Law or Equity shall otherwise order: And whereas many persons who may have paid the proper stamp duties either before or within Six Months after the execution of the contracts in writing entered into by them for the purposes aforesaid have omitted to cause affidavits to be made, and afterwards to be filed in the proper office, of the execution of such Contracts, as required by the said first-mentioned Act, and have also omitted to cause such contracts, and the indentures thereof, or the assignment of any such indentures, to be enrolled within the time in which the same ought to have been done, whereby they have incurred certain disabilities; for preventing whereof, and relieving such persons, be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That every person who shall, either before or within *Six Months* after the execution of such contract or indenture,

have paid the proper stamp duty in that behalf, and who at the time of the passing of this Act shall have neglected or omitted, or who may, within Six Months after the execution of any such contract or indenture executed before the passing of this Act, neglect or omit to cause any such affidavit or affidavits, as required by the said first-mentioned Act as aforesaid, to be made and filed, or such contract or indenture or assignment to be enrolled, and who on or before the First day of Hilary Term next shall cause such contract or indenture or assignment to be enrolled with the proper Officer in that behalf, and one or more affidavit or affidavits, as required by the said first-mentioned Act, to be made, and afterwards to be filed, in such manner as the same ought to have been made and filed in due time, shall be and is hereby indemnified, freed, and discharged from and against all incapacities and disabilities in or by any Act or Acts mentioned by reason of such neglect or omission; and every such affidavit and affidavits so to be made, and which shall be duly filed on or before the said First day of Hilary Term next, shall be as effectual to all intents and purposes as if the same had been made and filed within the respective times the same ought by the laws now in being for that purpose to have been made and filed.

2. *Where Persons neglect to enrol their Contracts within the Time allowed, the Court may order the Service to commence from the Execution.*—And whereas certain persons who have become bound by contracts as aforesaid, executed before the passing of this Act, may have enrolled the same after the expiration of Six Months from the date thereof, or may omit to enrol the same within the time hereby provided; be it enacted, That it shall be lawful for any of Her Majesty's Superior Courts of Law or Equity at Westminster, in any case where any such contract executed before the passing of this Act shall not have been enrolled within Six Months from the date thereof, or shall not be enrolled within the time by this Act allowed, to order and direct, either before or after the contract shall in any such case have been enrolled, with the proper affidavit by law required, that the service under such contract shall be reckoned to commence and be computed from the execution of such contract, or from any subsequent period prior to such enrolment, as such Court may think fit; and the same shall be deemed to have so commenced accordingly, whether such person shall at any time afterwards apply to be admitted in the same or any other Court, any thing in the said first-mentioned Act, or any other Act to the contrary notwithstanding.

3. *Provisions of 34 G. 3. c. 14. as to the Enrolment of Con-*

tracts repealed.—And whereas since the passing of the said Act of the Sixth and Seventh Years of Her present Majesty's Reign the aforesaid provisions of the said Act of the Thirty-fourth Year of the Reign of King George the Third have become unnecessary, and it is expedient that the same should be repealed; be it therefore enacted, That so much of the said last-mentioned Act as relates to the enrolment and registering of indentures and other writings containing any contract whereby any person shall become bound to serve as a Clerk in order to his admission as a Solicitor or Attorney in any of the Courts in the said Act mentioned, together with such affidavit as aforesaid, shall, in respect of all such indentures or writings made or executed after the passing of this Act, be and the same is hereby repealed: Provided always, that nothing herein contained shall be deemed or construed to repeal or alter any of the provisions of the said Act of the Sixth and Seventh Years of the Reign of Her present Majesty.

4. *Neglect of Attornies, &c. in taking out their annual Certificates not to disqualify their Clerks.*—And whereas many Attornies, Solicitors, Notaries Public, and others, may have omitted or may hereafter omit to take out annual certificates, or to enter or register the same in the proper office, and persons who may have served as Clerks to such Attornies, Solicitors, Notaries Public, and others, may by reason of such omission have incurred or may hereafter incur certain disabilities; for preventing whereof be it enacted, That no person who now has or hereafter shall have regularly served any Attorney or Attornies, Notary Public or Notaries Public, for the term of years required by Law, shall be prevented or disqualified from being admitted an Attorney, Solicitor, or Notary Public, by reason of any omission of the person or persons whom he served for the same term or any part thereof having neglected or omitted to take out his annual certificate, or to enter or register the same; provided such person so having served is otherwise entitled to be so admitted as aforesaid by the laws for the time being in force relating thereto.

5. *Act may be altered this Session.*—And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

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THE END.



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